

Meeting Minutes of the
Arizona Game and Fish Commission
Friday, April 12, 2002 – 8:00 a.m.
Saturday, April 13, 2002 – 9:00 a.m.
F.O.P. Lodge #2, 12851 N. 19th Avenue
Phoenix, AZ

PRESENT: (Commission)

(Director's Staff)

Chairman Michael M. Golightly
Commissioner Joe Carter
Commissioner Sue Chilton
Commissioner W. Hays Gilstrap
Commissioner Joe Melton

Director Duane L. Shroufe
Deputy Director Steve K. Ferrell
Asst. A.G. Jay Adkins
Asst. A.G. Jim Odenkirk

Chairman Golightly called the meeting to order at 8:08 a.m. Members of the Commission introduced themselves and Chairman Golightly introduced Director's staff. The meeting followed an agenda dated March 22, 2002. Director Shroufe noted Item 1.b. (Legal Advice-Issues related to the Open Meeting Law) would be postponed until the May meeting.

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1. Litigation Report

- a. *Forest Guardians v. APHIS*, CIV 99-61-TUC-WDB; *State of Arizona v. Norton*, CIV 98-0632-PHX-ROS; *Conservation Force v. Shroufe*, CIV 98-0239 PHX RCB; *In Re General Stream Adjudication for the Little Colorado River and Gila River*; *Mark Boge v. Arizona Game and Fish Commission & Shroufe*, CIV 2000-020754; *Mary R. LLC, et al. v. Arizona Game and Fish Commission*, CIV 2001-015313 and *Defenders of Wildlife et al. v. United States Fish and Wildlife Service*, CIV01-934 (HA) (U.S.D.C. Ore.)

A copy of the update, which was provided to the Commission prior to today's meeting, is included as part of these minutes.

Mr. Adkins stated he needed to inform the Commission of legal matters pertinent to the Defenders of Wildlife case in executive session.

2. Executive Session

- a. Legal Counsel

Forest Guardians v. APHIS, CIV 99-61-TUC-WDB; *State of Arizona v. Norton*, CIV 98-0632-PHX-ROS; *Conservation Force v. Shroufe*, CIV 98-0239 PHX RCB; *In Re General Stream Adjudication for the Little Colorado River and Gila River*; *Mark Boge v. Arizona Game and Fish Commission & Shroufe*, CIV 2000-020754; *Mary R. LLC, et al. v. Arizona Game and Fish Commission*, CIV 2001-015313 and *Defenders of Wildlife et al. v. United States Fish and Wildlife Service*, CIV01-934 (HA) (U.S.D.C. Ore.)

Motion: Gilstrap moved and Carter seconded THAT THE COMMISSION GO INTO EXECUTIVE SESSION.

Vote: Unanimous

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Meeting recessed at 8:12 a.m.

Meeting reconvened at 8:25 a.m.

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3. An Update on Current Issues, Planning Efforts, and Proposed Projects on State and Federal Lands in Arizona and Other Matters Related Thereto

Presenter: John Kennedy, Habitat Branch Chief

A copy of the printed update, which was provided to the Commission prior to the meeting, is included as part of these minutes.

Mr. Kennedy gave an update on information noted in the last sentence on the top of page 5 regarding the recently approved access road and proposed development activities on State Trust lands in Apache County. The Department responded to the State Land Department (SLD) right-of-way application for access to two acres on private property located on the bluff along the Little Colorado River. The Department made recommendations, the most important being to decrease the width of the road and to not include fencing along the road. The SLD and the developer accepted most of the recommendations. The right-of-way application has not been filed and approved, but the developer was provided right-of-entry for specific purposes of drilling and developing and constructing fences on the property. Access to the parcel for purposes other than those specified in the application was unauthorized. Since the last update, the Department learned the developer and his cooperator have applied to Apache County Planning and Zoning for a zoo permit to locate a zoo on the private property on the bluff. The 20-foot access road that was recommended and accepted was inconsistent with that type of commercial operation with respect to planning and zoning; therefore, there continues to be access issues of concern to the Department. The SLD anticipates the developer will have to apply for a commercial right-of-way, but the Department may not be given the opportunity to comment. The Department explained that if the road were to be 60-feet wide, paved and fenced, the Department's position would most likely change with respect to impacts to wildlife. The SLD advised the Department that it would not be able to review any more material on the right-of-way, access or development on the bluff. The SLD lack of cooperation was inconsistent with the Memorandum of Understanding between the SLD and the Commission. The Department had no further information on the commercial lease application; it has not been filed at this point.

Commissioner Gilstrap noted the developer misled them at the December Commission meeting by stating the road was to be only to his private residence; Mr. Kennedy agreed. Mr. Kennedy thought the SLD seemed not to care what the developer did but wanted to clarify the type of access needed. If Planning and Zoning decides not to issue commercial access, the developer will not be able to develop the zoo at this time. The developer is working with another cooperator to locate an alternative site for the zoo; the cooperator is currently permitted through the Department and the Commission. The Department would be involved in granting approval for the zoo.

Commissioner Gilstrap was concerned that the Commission's decision was based on the facts presented and understood in December. Now the facts were different.

Commissioner Carter noted rural communities were looking for opportunities for economic enhancement. Several legislators, Apache County and incorporated communities have endorsed this concept. The Commission should continue to be sensitive, but not at the expense of wildlife resources, especially prime habitat areas. He recommended that the Commission direct Commissioner Gilstrap, Director Shroufe and himself to meet with State Land Commissioner Anable to discuss this issue and clarify the misrepresentation of issues and to work with him on alternative sites that are not in prime wildlife areas so that the communities will have a chance at economic prosperity. The meeting needed to occur this week or as soon as possible. Director Shroufe could decide whether or not Mr. Kennedy needed to participate at this meeting.

Commissioner Chilton noted there was an Environmental Assessment (EA) out for the Apache Trout Enhancement Project on the Apache-Sitgreaves (A-S) Forests. She wanted to know how the Department was involved in the project. She wanted to know what assurances were received by the Department from the Forest Service (USFS) and U.S. Fish and Wildlife Service (FWS) that reintroduction of an endangered species would not affect the current multiple uses, including hunting and ranching. She wanted to know what assurances existed that the financial burden of defending multiple uses and access would be borne by the federal government and not by Game and Fish. She wanted the Department not to proceed on any such project without those assurances; she was concerned about litigation. Director Shroufe stated the Department should make a presentation to the Commission about what its commitments were. The Commission has spent a lot of time and money in delisting the Apache trout. This has been the direction of the Commission based on presentations and projects brought before it. The EA presently before the FWS is from the USFS that talks about putting in some barriers so that introduced species can be extirpated in order to return the Apache trout. Director Shroufe suggested a presentation at the next Commission meeting that would review what has been done in the program and describe future direction. A complete review would be done, which would also include assurances. Commissioner Chilton wanted to know what the Department's response was to the EA. Director Shroufe noted the Commission would receive a copy of the Department's response to the EA if it had been done. Mr. Kennedy noted there was Department on this project; the Department could provide copies to the Commission. The Department has not provided written comments on the February 2002 EA.

Commissioner Melton noted the Sikes Act requires mutual agreement between state and the Department of Defense. He wanted to know what the Commission's legal options were if the Department disagreed with the management plan. Mr. Adkins stated he would meet with Commissioner Melton and Mr. Kennedy to get answers to his question.

Commissioner Carter referenced a partnership that was being undertaken that dealt with a national forest/county partnership restoration program. Three demonstration projects in the Southwest were being proposed under this program. One of them was on the A-S. The Commission adopted a resolution that was elevated to the Western Association of Fish and Wildlife Agencies with respect to restoration of national forests, as well as partnerships with the Department in programs occurring in Arizona. He suggested the

Commission, at the next meeting, adopt a resolution or letter of support for this program, i.e., funding of the program by Congress for full partnership involvement with respect to wildlife and wildlife needs on public lands.

Commissioner Carter stated that the beetle infestation on Mount Graham on the spruce forest has become worse. Photos taken in 1999 depict this damage vividly. The USFS became aware of the beetle infestation in 1995. Two thousand acres have been completely destroyed. It was disappointing to see a sky island destroyed through inaction by a federal land management agency. Millions of dollars over the last 10 years have been spent to monitor an endangered species, and yet, the USFS has not taken adequate action to protect the species or its habitat.

Motion: Carter moved and Gilstrap seconded THAT THE COMMISSION DIRECT THE DEPARTMENT TO SEND A LETTER TO MEMBERS OF THE ARIZONA CONGRESSIONAL DELEGATION OUTLINING OUR CONCERNS AND LACK OF ACTION.

Vote: Unanimous

On behalf of the Commission, Commissioner Carter would assist the Department in developing the draft letter.

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Meeting recessed 8:55 a.m.

Meeting reconvened 9:08 a.m.

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4. Statewide Shooting Range Project Update

Presenter: Kerry Baldwin, Acting Assistant Director, Information and Education

A written summary was provided to the Commission on major issues in the program prior to today's meeting.

There was a success story to report. The Pima County Parks and Recreation range was proceeding well. Construction documents were completed and construction should begin late summer, with Phase I of the range opening the first of next year.

Regarding Bellemont, Director Shroufe stated he was uncertain when the groundbreaking would occur. The appraisals were delivered to the Department and the Forest Service on March 22, 2002. Director Shroufe talked with Coconino Forest Service (FS) Supervisor Jim Golden this week. Mr. Golden was to get back with him today to try to set a date. Negotiations between the FS and the appraiser were confidential.

Commissioner Carter wanted to continue to pursue land exchanges for shooting ranges. Members of Arizona's Congressional delegation should continue to receive monthly updates specifically on Bellemont noting concerns with the lack of timelines and processes being met in a timely manner.

Mr. Baldwin stated the Department has not been waiting only on the land exchange process. Liability language was worked on and accepted for the special use permit by the USFS, State of Arizona and the Department. His staff was finalizing a management plan, which was part of the USFS requirement for a special use application process. This would provide the USFS with an alternative before completion of the land exchange process.

Commissioner Gilstrap advised taking a second look at potential future land exchanges. The Commission should be vigilant about the properties it uses for trade. Director Shroufe noted that action would be presented to the Commission before any trading occurred. A Department memo could be sent to the Commission next week that provided a review of lands the Commission gave permission to include in the appraisal, but which were not to be used in the final land exchange package.

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5. State and Federal Legislation

Presenter: Tony Guiles, Legislative Liaison

The key bill status report was provided to the Commission at the meeting.

The Governor signed H 2948 (Game and Fish Commission) this week.

H 2116 (Self storage facilities; vehicle foreclosures) was in the Senate and moving smoothly.

HCR 2012 (Lottery continuation) reauthorizes the lottery for 10 years and sends it to ballot. This is up for a vote in the Senate next week.

S 1008 (Shooting ranges) was heard last week in the Natural Resources and Agriculture Committee. There were last minute amendments offered. Language of the amendments was unknown. None of the amendments were adopted in Committee. The amendments would have changed it from a range protection bill to a range regulation bill. There was consensus by the Committee that something needed to be added to the bill. It will be heard in Military Veterans Affairs Committee next week. Mr. Guiles would keep the Commission informed on the status of this legislation.

S 1250 (Watercraft; towing companies) was held this week; it will be heard next Monday in the Transportation Committee.

S 1336 (Watercraft; extreme DUI) passed Committee.

S 1367 (Hunting licenses [obtaining licenses by fraud]) was heard this week and goes to the Judiciary Committee next week.

S 1370 (Fishing tournaments; penalties) has no problems

H 2592 (Motor vehicle license plates/S/E Hunters trespassing) is a striker on the trespassing language. The bill failed in committee three weeks ago; the bill continues to be monitored. A striker could be added next week.

Next week is the last week to hear bills in committee.

SCR 1019 (Federal monies; legislative control) would give the Legislature authority to appropriate non-custodial monies. The Department was not clear about this applying to Game and Fish monies and further clarification was being sought from the Joint Legislative Budget Committee (JLBC). It could have an impact if the Legislature had authority to appropriate the \$10.8 million the Department received in FY 02. He suggested an amendment could be offered for an exception for Game and Fish. Previously, these bills have always gone to the Governor and the Governor has always vetoed them. This way, it would bypass the Governor and go directly to the voters on the ballot.

Commissioner Carter stated the Department should be very aggressive on this bill as it moves. The legislators needed to be educated on the significant impact on a lot of things, e.g., health care, education, and to Game and Fish.

Mr. Guiles stated this bill would be going to the House floor. It has already passed the Senate, but it would have to go back to the Senate because of the amendment that was made in House Appropriations. The bill was handled by the Governor's Office. There was little press or public knowledge on this bill.

The Commission wanted to seek a Game and Fish exemption. The Department's constituents should be informed of the problems involved. Mr. Guiles stated JLBC should have an answer later today regarding the exemption. Commissioner Gilstrap stated an aggressive approach should be taken if the Department was not exempted.

This item would be brought back to the Commission either later today or tomorrow for specific direction after more clarification is given from JLBC.

Talks have started on the FY 03 budget. The Governor has proposed a \$16 million sweep on Heritage Funds (\$8 million from Parks and \$8 from Game and Fish). The House and Senate have not made proposals. Commissioner Gilstrap stated it was imperative to follow up on the 03 budget, with the same aggressiveness as for 02. Vigilance needed to be increased. Commissioner Carter suggested that the Commission relay the same message to the Governor for the 03 budget as it did for 02. Commissioner Gilstrap noted it would be more effective to work on the legislative side.

Motion: Carter moved and Carter seconded THAT THE COMMISSION DIRECT THE DEPARTMENT TO PREPARE A LETTER TO THE GOVERNOR OUTLINING OUR CONCERNS WITH RESPECT TO THE IMPACT OF HER PROPOSED 2003 BUDGET CONSISTENT WITH THE LANGUAGE THAT WAS USED IN THE PREVIOUS COMMUNICATION TO HER, WITH COPIES TO THE SPEAKER OF THE HOUSE AND SENATE PRESIDENT.

Chairman Golightly stated the letter would be for all of the commissioners' signatures.

Vote: Unanimous

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6. Request to Close the Rulemaking Record for R12-4-802, Wildlife Areas, and to Approve Administrative Rule Changes to Correct Inaccurate Dates for Closures at the Becker Lake Wildlife Area in Unit 1, and to Remove Restrictions on Hunting on the Powers Butte Wildlife Area in Unit 39

Presenter: Mark Naugle, Manager, Rules & Risk Management

This rulemaking amends R12-4-802 to correct inaccurate season dates for the Becker Lake Wildlife Area and to provide increased hunter opportunities at the Powers Butte (Mumme Farm) Wildlife Area.

The closure dates at the Becker Lake Wildlife Area have been found to be inaccurate. The original closure dates in R12-4-109 were April 1 through July 31 annually, however, a discrepancy occurred when bald eagle closure dates were added to the waterfowl nesting dates. The proposed rule changes will set the closure dates from December 15 to July 31 annually.

The Power Butte Wildlife Area will reach the end of its ten-year management as a mitigation property on June 30, 2002. Active management of the property to enhance wildlife habitat and to provide wildlife food crops will end at that time. The Department requested removal of restrictions on the take of wildlife that were established to complement the special management of the wildlife area during the mitigation phase of operations. With active farming of wildlife food crops no longer planned for the wildlife area, the Juniors dove hunt will be moved to the Robbins Butte Wildlife Area beginning the fall of 2002.

The effective date for the rule amendments is May 1, 2002. This rulemaking was exempt from Governor's Regulatory Review Council review.

Motion: Gilstrap moved and Carter seconded THAT THE COMMISSION VOTE TO CLOSE THE RULEMAKING RECORD FOR R12-4-802, WILDLIFE AREAS, AND TO APPROVE ADMINISTRATIVE RULE CHANGES TO CORRECT INACCURATE DATES FOR THE CLOSURES AT THE BECKER LAKE WILDLIFE AREA IN UNIT 1 AND TO REMOVE RESTRICTIONS ON HUNTING ON THE POWERS BUTTE WILDLIFE AREA IN UNIT 39.

Vote: Unanimous

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7. Call to the Public

Jim Solomon, co-host of Outdoors Arizona radio show, supported the Game and Fish Department. He felt the Kaibab archery deer hunt going to a draw without having all of the facts was premature and he was opposed to this until such facts are known and accurate.

Bill Brannen, representing self, stated the Kaibab deer hunt was the most popular hunt structure for rifle and archery hunters. The consensus is that the Commission should table the archery draw for one year and gather information this year to form a final conclusion for future hunts.

Glenn Sheldon, representing self, gave handouts to the Commission regarding the ramifications of permitting the Kaibab archery deer hunts.

Jerry Stewart, representing self, was opposed to the Kaibab archery deer hunt going to a draw. More data and more education of the public were needed.

Kevin Curran, representing the Arizona Bowhunters Association (ABA), stated there were problems on the Kaibab but going to a draw would not solve these problems. The ABA wants to work with the Department to solve these problems and he wanted to become more proactive. The ABA could work with other organizations and the Department. Hunter survey cards should be filled out on the spot in order to obtain more accurate information. A plan could be developed after the data was obtained.

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Meeting recessed at 9:57 a.m.

Meeting reconvened at 10:01 a.m.

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8. Arizona Quail Management

Presenter: Tice Supplee, Game Branch Chief

Input was taken from the public concerning quail management in Arizona. The Commission took no action.

Public comment:

Dave Lukens, President of the Western Gamebird Alliance (WGA), basically supported the quail Order and research supported the biologist's recommendation. Even though the science was correct, it was a social issue. The Commission should support the science. *Wildlife 2006* was the document that guided the Department in what it does with quail management and quail research. Gambel and scaled quail were completely different from Mearns' quail. Mearns' quail strategy states there will be coordination with the Coronado National Forest to insure Mearns' quail population potential is achieved through enforcement of current Department standards and guidelines for high quality habitat until new Department standards and guidelines are established. It was important to do habitat guidelines.

Mr. Lukens discussed the 2000 quail hunter survey that was put out by the Department. It shows what the Department has been saying for years; nothing has changed with harvest and hunter participation in the field. Gambel and scaled quail data were still not broken out. Mearns' quail objectives were being fulfilled under *Wildlife 2006* guidelines of 1-2 birds a day (average birds per day 2.45; hunter days, 6.68).

Wing barrel data support the scientist's recommendation. Hunt quality is looked at by wing barrel data and it has shown no decline. The preponderance of evidence in literature is that on a year-to-year basis hunting has no effect. It was additive to the hunting season but other things were occurring. According to quail expert Fred Guthrie, density dependent things happen in production and in survival. If there is a low quail population, they produce more at reproduction time than what was expected percentage wise.

When there was a high population, less numbers were produced. What was occurring with Mearns' quail was there was a density dependent increase in survival when quail were in low numbers. The Department scientific data were credible.

Fred Arbona, representing Arizona Quail Alliance (AQA), noted reading other peoples' opinion beyond Arizona brings questions into a bigger light. He gave a conceptual overview of what he thought the issue was. He considered the recommendation made by Jim Heffelfinger to be a change from what the public wanted and was in direct contrast to what was happening nationwide. Many biological, social, economic reasons were given to the Department to change its recommendation, but the Department again was recommending 15 birds. This was irresponsible. He thought it to be a power struggle between the public and bureaucracy. He thought the reasons why the Department continued on the same avenue were 1) simplicity in regulation; 2) to advertise or market a perception of opportunity and 3) if a change was made, it could be perceived as an admittance of a mistake in the past. If the Department recommended eight birds instead of 15, it would show the system takes into consideration other managing options besides length and time of season, which were bag limit and methodology. The public wanted a say in the process and the sport and the bird should be pursued in a way that would do it no harm. The public wanted a better quality hunt throughout the season; 90% of the quail hunters wanted to see a lot of birds and kill a few. Public ballots were available at nine locations. He described the questions that were asked of hunters on the survey.

Methodologies of collecting data were with the use of hunting dogs. What the AQA has is based on 2000 hours of public perception and collection of data. The Commission should trust the public's opinion.

Mr. Arbona thought that the fault lay with the interpretation of wing barrel data because it was used to reach a pre-set goal of a 15-bird bag limit. The Department should adjust the bag limit to what the wing barrel data were showing.

There were four options of management open to the Department: 1) time of season; 2) length of season; 3) methodology and 4) bag limit. He stated 90% of the people he surveyed wanted a reduced bag limit because 50% of them found an inferior season.

There were two choices. A five-bird bag limit would do no harm but he thought an eight-bird bag limit would be reasonable if it followed a radio telemetry program to find out if it was enough.

Troy Hawks, Vice President of the WGA, stated the WGA position was based on the science of the Department and across the nation. He did not want management by opinion poll. If dogs can find the birds, the birds were there.

Tad Pfister, President of the AQA, distributed written statements from others to the Commission. It was AQA's goal to work with the Department to ultimately achieve a better ecological assessment of Mearns' quail. With this assessment, a hunting program could be developed that creates a substantial balance between the recreational desires of hunters and a thriving Mearns' quail population. Much of the management strategy of Mearns' quail was based on a three-year study. The AQA felt some of the conclusions did not match research results and there were inadequate data used in the research. He believed a completely scientific study was not done, but was based more on observation,

prior dogma and other types of criteria. He submitted to the Director and Commission, AQA's concerns about the discrepancies in the technology bulletin 2000.

During the 2001-02 Mearns' quail season, the AQA placed 10 questionnaire boxes in the field. Some of the most comprehensive data ever retrieved from hunters were compiled. This data represented more hunter days, more hunter data than ever was collected in a single year of Mearns' quail hunting. Information was given to the Director and to the Commission and the data was mailed to all surveyed respondents. He asked that the Commission reduce the bag limit for Mearns' quail to between 5-8 birds. Two major goals would be achieved: 1) quality of the hunt would be improved throughout the entire season and 2) the number of breeding stock would be increased for the next season.

Technical bulletin #4 was distributed to the Commission.

Dr. Pfister stated the AQA would place 15 survey boxes in the field next year. These boxes would contain questionnaires and educational brochures, which would encourage hunters to participate in the Department's wing barrel samples. A special Mearns' quail questionnaire was being developed for next season with Bruce Taubert's help. Mr. Taubert and he were discussing the possibility of a first-time Arizona quail symposium. This symposium would be open to all interested parties to hear from specialists in the field of quail management and to learn and discuss management strategies. It would allow hunters to learn more about their sport.

Dave Gowdy, Executive Director of the Arizona Wildlife Federation (AWF), stated the AQA was incorrect and they surveyed less than ½ of 1 percent of Arizona's quail hunters. He stated the majority of hunters do not hunt Mearns' quail. Attention needed to be focused on scaled quail and Gambel's quail. The Commission's attention was on Mearns' quail, which has populations at an all time high. The Commission should establish seasons and limits based on the best possible science.

Linda Pfister, representing the AQA, showed statistics the AQA prepared in a Powerpoint presentation. The more hunter days that were collected, the higher the bird count goes. Out-of-state hunters support a lower bag limit. She showed a slide depicting a Game and Fish Department graph. The decision was made by the Department to present an 18-year overview vs. current trends on what was happening to Mearns' quail; this was very damaging in her opinion. There was a distinct decline in the hunt. The Department relied on 52 game questionnaires; the AQA relied on 113. What the Department is telling the Commission was contradictory to what the data were saying.

John Levy, representing self, stated it was a matter of bag limits and season lengths. Excessive hunting was detrimental to game bird populations. There was a decline in scaled quail and Gambel's quail. It was time for hunters to reappraise their positions in terms other than what they can get by with. He regarded hunting justifiable only insofar it can be done without a detrimental effect to the species being hunted. He recommended a reduction in the bag limit on all quail, but particularly scaled quail and Gambel's quail.

George Musser, representing the AQA, stated he saw a decline in the number of birds after January 15. The Department should do further studies on all quail species and lower the bag limit.

Bob Whitaker, an outdoors writer, asked why the Department felt a hunter should be able to kill 15 birds a day in the field. It was the value of the hunt that matters most. A handout was distributed for the record.

G.L. Sanders, representing self, saw a decline in scaled quail and Gambel's quail. The weather has been bad; he did not want to see things get worse by keeping the 15-bird bag limit. Hunters hunt every day, not just on the weekend.

Kelly Neal, representing self, asked if there would be a place for the average Mearns' quail hunter.

Bruce Lawrenz, representing self, recommended shortening the season by 30 days (to end the second week in January), with a daily bag limit for all species to five birds, reduce the possession limit to 15 birds, and not allow birds to be given away to a third party. The laws should be changed.

Gil Russell, representing self, stated a 15-bird bag limit was no longer appropriate, particularly in a year like this. He asked the Commission to consider the secular decline in scaled quail and Gambel's quail.

Mike Motherway, representing self, talked about Department surveys and questionnaires; he disliked surveys and wing boxes. He observed coveys getting smaller as a result of an area being hunted. He asked for a five-bird limit.

Kent Henry, representing the Arizona Cattle Growers Association, stated lower bag limits were needed and there needed to be shorter seasons for quail. Two weeks should be taken off the start of the season and two weeks should be taken off the back of the season. Hunting areas needed to be alternated. There should be cooperation with the ranchers. Because people vandalize windmills, ranchers cannot keep water out year round for wildlife but only when cattle are present. If conservation organizations worked with ranchers to maintain windmills ("Adopt-A-Windmill"), there would be water year round for wildlife.

Web Parton, Education/Outreach Coordinator for the AWF, addressed the condition of the habitat. Arizona is changing. The resource that created the birds was gone. The land that is left has to be valued and managed in a way that allowed wildlife to survive. He recommended the development of a habitat guideline for Gambel quail and scaled quail along the lines of what was developed by Ockenfels and Bristow for Mearns' quail and use the guideline to address improvement of quail habitat. This would improve the economy of rural communities. There was such a decline in birds that it was destroying one of the greatest assets in North America, which was quail hunting in southern Arizona.

Perry Chisum, Jr., representing self, submitted written comments. He supported a lower bag limit for Mearns' quail. The Mearns' quail hunt should be a quality hunt. The limited suitable habitat did not lend itself to large numbers of hunters. He suggested consideration of non-hunting days each week during the season to lessen pressure on coveys.

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Meeting recessed at 11:40 a.m.

Meeting reconvened at 11:50 a.m.

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10. Options and Department Recommendation for Addressing the Cave Creek Area Private Property Owners' Request for Eliminating all Hunting in an Area North of Cave Creek

Presenter: Rod Lucas, Region VI Supervisor

For additional background information, see Commission minutes for January 18, 2002, Call to the Public, pages 23-25.

A Powerpoint presentation was given as part of the presentation.

Anna Marsolo and several other Cave Creek area private property owners requested that the Commission close an unincorporated portion of land north of the Town of Cave Creek. The Department evaluated this issue and presented options for addressing the request to eliminate hunting in Sections 10, 11, 12, 14 and 15.

On February 28, 2002, a public meeting was conducted in Cave Creek to gather public issues, concerns and other input on the options being evaluated by the Department. A summary of that public meeting was given.

The Department completed the evaluation and requested the Commission to implement Alternative #2.

Alternative #2: To post large signboard notices at main access roads entering this area. Commission action consisted of approval of installation of 2-4 large signboard notices advising sportsmen desiring to enter the area of the private property status beyond the notice and to be mindful of consequences for violations of trespass and to respect the rights of private property owners. These signboards would be posted near the junction of Fleming springs and Sierra Vista Roads that lead directly into this area from the Town of Cave Creek.

Recommended wording on signs would read:

Attention Hunters – The area beyond this point is mostly private property. Be advised that to enter or remain on any private property beyond this point without permission is prohibited and may result in criminal or civil sanctions for trespass, and could also result in seizure of any wildlife and revocation of your hunting, fishing and trapping privileges. Thank you for respecting the rights of these landowners.

Alternative #1: No action/change.

Alternative #3: To close this "island area" in Unit 42 Metro by Commission Order. Commission action required would be to define and close this "island area" by Commission Order for species with a footnote under "Notes" section within Unit 42M.

Alternative #4: To close Unit 42M to take of big game species by Commission Order. Commission action required would be to close Unit 42M by Commission Order for the take of all big game species by any method.

Future consideration: The Commission may consider initiating a statutory change in Title 17 to make it unlawful to discharge a bow and arrow while taking wildlife within ¼ mile of an occupied residence, similar to ARS 17-309 A (4) for firearms. The ¼ mile restriction could conceivably eliminate future similar incidents from occurring in areas that contain dispersed acreages and homes around the urban interface. The Department believed if there were a ¼ mile restriction for archery that would apply to a unit, such as 42M, it would effectively close the area to hunting.

Public comment:

Paul Diefenderfer, property owner, stated alternative #2 was meaningless and could not be enforced. The right to own property should come before hunting. Signs were only “eye candy”; all they will do is stall. The Department was trying to protect a few bad hunters to use his property as a game preserve. Something should be done that has meaning.

Ed Walker, property owner, saw people hunting and scouting on this area. He wanted to see the area removed from permitted hunts and asked the Commission to probably consider educating hunters about the ¼ mile restriction.

Eileen Kettner, property owner, stated there has been vast development in the area. The ¼ mile restriction would close Unit 42M. According to hunters, they have the right to hunt on her property regardless of signs because Game and Fish sent them a map stating they had the right to be in 42M. This was wrong; it was her property. The Department recommendation for signs was weak and she wanted to see a stronger recommendation proposed and implemented. Someone was going to get injured soon.

Anna Marsolo, property owner, stated Alternative #3 was the most positive and the preferred choice of 95% of the property owners. Signs at the front entrance would be worthless because the area could be entered from other directions. The second most popular option was to change ARS 17-304. She also expressed concern regarding night hunting statewide. Commissioner Carter noted the Commission has not made any decisions regarding the night hunting issue. Chairman Golightly added that the proposed rule did not address big game hunting at night and she would be sent a copy of the proposed rule language.

Jo Walker, property owner, did not speak but wrote she supported closure to hunting on private property north of Cave Creek.

Diane Blackett, property owner, asked what would happen and what would be the ramifications if 100% of the property owners did not want hunting on their private property. The Department would do research and contact her by letter.

Nancy Laizure, property owner, stated signs have already been tried; property has to be patrolled and this should not have to be done. The situation has become volatile and dangerous. Discharge of a firearm has been eliminated in Unit 42M and several years

ago the State Land to the west of the neighborhood was closed for safety reasons. It makes sense to close the land for the same reason. Because of safety concerns, the area should be closed to hunting.

Cathie Rosenbaum and Nan Byrne, property owners, wanted the area closed to all hunting. Penelope Cox, property owner, stated sections 10, 11, 12, and 14 should be closed to all hunting.

Benny Aja, representing the Arizona Cattle Growers Association (ACGA), stated trespass was a complicated issue. Use of signboards would be meaningless. The ACGA, Farm Bureau and Wildlife Conservation Council formed the Landowner/Sportsman Alliance. It came about from the natural resource discussion groups appointed by former House Speaker Mark Killian. It was this group that worked for the passage of S 1092, which changed ARS 17-304 revocation language. Members of this group could get together with the property owners to develop a bill that would solve population growth issues in Cave Creek and Apache Junction. Language in the law needed to be changed.

Jim Solomon, co-host of Outdoors Arizona, apologized for slob hunters. He recommended the ¼ mile rule without permission for archery rather than total closure. As rural areas grow, closure would set the precedence to close other units because of landowners and land developers building more. If it were closed to hunting altogether, predators would start coming into these areas.

Jack Simon, representing self, stated it was unfortunate a few hunters do not have respect for private property. He urged closure of this limited area to hunting so that the problem can be eliminated. Signs would not stop people from coming in and hunting. Closure was needed to avoid a catastrophe. He thought the majority of hunters would not mind closure of this area.

Representative Wes Marsh, representing Legislative District 28, urged closing the area to protect it. He gave three reasons: 1) private property rights; 2) quality of life and 3) safety. If there were no action prior to the next hunting season, there would be an initiative to ban hunting of wildlife statewide on private property.

Commissioner Carter stated the Commission should give consideration to 1) taking steps to deal with a legislative remedy to deal with the ¼ mile rule for archery and 2) making a decision on these sections of concern before the next hunting season. This would be the right and responsible thing to do.

Commissioner Gilstrap asked if the Department would have more jurisdiction with the signs. Mr. Lucas stated if a private landowner posted his property according to ARS 17-304 that effectively closes his land to hunting. There was still the issue of criminal trespass regardless of that. If a person entered property posted in accordance with Commission regulation, then the person could be cited for taking in a closed area and he could be civilly assessed or have his license revoked. The Department was working with the Justices of the Peace and the prosecutors in Maricopa County to see if these signboard notices would suffice as reasonable notification for people entering or remaining on these properties. The Town of Cave Creek would be willing to help the Department post and maintain the signs.

Commissioner Gilstrap asked if there was a decision at a recent town council meeting to appeal the previous decision on annexation of this same general area. Anna Marsolo stated the town council voted to spend the money to appeal the court decision that threw out the annexation. The decision would not be known for several months. If the courts agree that the annexation should proceed, then the residents would be protected under the Town of Cave Creek, which could resolve that. If the area was to be closed now, it would not have any effect on hunters at all if the areas were annexed.

Commissioner Chilton stated that closure of this island area would not address the issue of a small minority of hunters who have lost good sense. She wanted to know what was or could be done to educate these hunters. Director Shroufe stated the Department could not guarantee every hunter would comply with the law. Law enforcement depends on voluntary compliance. The Department tries to educate as many people as possible.

Commissioner Carter stated the Commission makes an effort to continuously educate the public and to take away privileges from those who abuse hunting laws.

Mr. Lucas pointed out there were so many locations within metropolitan areas that if a certain area was closed to hunting, or if the entire unit was closed to hunting to the take of big game, opportunities would be lost in other areas within that particular management unit. If there were to be adjustment of management unit boundaries, he thought there would be a constant effort of realigning boundaries as growth expands. Ms. Marsolo stressed this was not an access issue; the two neighborhoods were accessed by private roads only and there was no public access.

Chairman Golightly wanted to know about the precedence that might be set by closing sections of land. He wanted to know how far this issue would go. Mr. Lucas noted these issues were often arising in other areas. He stated it would be difficult to describe the boundaries in a manner for the public to recognize and understand; it would lack the specificity in a small area like this. Criminal trespass was not in the jurisdiction of the Department; the Maricopa County Sheriff's Office responded to criminal trespass issues.

Commissioner Chilton believed signs would not be adequate. The Department needed to let the public know where it could hunt. She suggested putting up as much signage as possible and having hunter groups start educating others.

Motion: Carter moved and Chilton seconded THAT THE COMMISSION ADOPT ALTERNATIVE #3; FURTHER, THAT THE COMMISSION DIRECT THE DEPARTMENT TO WORK TOWARDS A STATUTORY CHANGE IN TITLE 17 WITH RESPECT TO BOW AND ARROW ISSUES WITHIN ¼ MILE OF AN OCCUPIED RESIDENCE.

Commissioner Carter stated that as the population explodes in Arizona, the Commission would face more frequent issues like this. He thought that education would become a greater component for sportsmen; hunting organizations recognize this and would work with the Department in this endeavor. The Commission needed additional tools to deal with those few who were not as ethical as the majority. He believed this was a stand alone issue and hoped similar occurrences could be headed off in other communities before getting to the level it got to today. To delay a decision today would not be good for the Commission and Department.

Commissioner Gilstrap asked Commissioner Carter to consider making the above motion into two separate motions. Commissioners Carter and Chilton agreed to the suggestion.

The first vote was to seek legislative remedies with respect to discharge of bow and arrow within ¼ mile of an occupied residence statewide.

Vote: Carter, Chilton and Melton – Aye
Gilstrap – Nay
Motion passed 3 to 1

The second vote was for Alternative #3.

Vote: Carter, Chilton, Gilstrap and Melton – Aye
Chair voted Nay
Motion passed 4 to 1

Commissioner Gilstrap explained his vote. He thought this was an example of a process illustrating a healthy community and a healthy state. It has been challenging and there has been significant cooperation by Representative Marsh to try to draft a bill that would be all encompassing and yet not punitive. He thought this was not going to be a total solution; it was similar to a decision made on closing trust lands in the same area a few years ago. It was incumbent upon homeowners to assist the Game and Fish Department and the Sheriff's Department. It was important for landowners to work with the Department's regional staff to insure successful implementation of a plan. He supported the recommendation, but it was incumbent on all parties to continue to make this decision correct.

Chairman Golightly explained his vote and he directed the Department to work closely with landowners. He thought that there were other alternatives than shutting land down.

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11. Hearings on License Revocations for Violation of Game and Fish Codes and Civil Assessments for the Illegal Taking and/or Possession of Wildlife

Presenter: Leonard Ordway, Law Enforcement Branch Chief

Record of these proceedings is maintained in a separate minutes book in the Director's Office.

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Meeting recessed at 1:35 p.m.

Meeting reconvened at 1:56 p.m.

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Item 11 continued when the meeting reconvened.

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Meeting recessed at 2:35 p.m.

Meeting reconvened at 2:52 p.m.

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12. Presentation on Approaches to Conservation Planning and Implementation

Presenter: Terry Johnson, Nongame Branch Chief

Mr. Johnson introduced Ric Frost from the New Mexico State University. Mr. Frost informed the Commission about issues related to the use of a variety of mechanisms for the planning and implementing conservation programs. Mr. Frost is a policy analyst associated with the Cooperative Extension Service at New Mexico State University.

Mr. Frost gave a Powerpoint presentation.

Research has been ongoing for one year. He noted that the alleged historical core range for the black-tailed prairie dog did not include Arizona. He questioned why Arizona was included in the 11 state working group since the initial petition was only for only the black-tailed prairie dog. A historical perspective was given regarding science and significant impacts to humans by black-tailed prairie dogs.

Mr. Frost noted that in terms of economies and cultures, the potential risk for the prairie dog issue was, right now, on the livestock industry.

The National Environmental Policy Act (NEPA) is a process that is supposed to have a balanced examination of the biological science and the human dimension and cultural sciences. There are specific laws and protocols on how this particular impact is to be analyzed. We need to insure the impact analyses are being done for the black-tailed prairie dog. In the case of the black-tailed prairie dog, a working group has been established for 11 states to do a management plan on their own, which avoids the NEPA process. These states are doing this in response to the threat of a federal agency to potentially list the prairie dog as endangered.

Mr. Frost showed what the NEPA analysis involves (NEPA Spider Web).

A brief look was made at the Endangered Species Act (ESA) and how it tied to NEPA. The three basic purposes of the ESA were to:

1. Provide a program for the conservation of such endangered species and threatened species
2. Provide a means whereby the ecosystem upon which endangered species and threatened species depend may be conserved
3. Take such steps as may be appropriate to achieve the purposes of the treaties and conventions set forth in subsection (a) of this section

The ESA derives its authority from these international treaties. Purposes were noted of the treaties and conventions of the ESA since 1916. Exceptions in treaties were described. Existing laws from acts of Congress were noted. Section 11 (h) Coordination with other laws of the ESA was noted. Section 4 (d) Protective Regulations of the ESA becomes significant in dealing with prairie dogs and other species. The ESA was based on treaties; those treaties deal with migratory species. If a state does not want to participate because it had a resident species issue, the federal government could not dictate how to control the resident species.

The federal government was trying to get states to sign Candidate Conservation Agreements with Assurances (CCAAs) and trying to get state legislatures to adopt management plans as state law. Unless both of those conditions exist, federal restrictions on a resident species cannot be enforced. This has precedence in case law.

The CCAAs are designed only for state, county and private lands. The CCAAs protect private landowners from ESA penalties should the candidate species become listed. If the CCAA is signed voluntarily, the signer agrees to pay for all of the program implementations. Once signed, the management plans are binding and enforceable. The signing of the CCAA amounts to a federal permit trading a federal nexus on non-federal lands. This brings another layer of government as manager of state or private property.

The CCAA landowner would be issued an Incidental Take Permit for the candidate species in exchange for giving up all prairie dog control programs. This permit is another form of a nexus. The state would have to be the agent that goes out to find landowners that have prairie dogs and those landowners would have to have a Certificate of Inclusion stating they would abide by conditions of the CCAA. This also requires legislative adoption of land restrictions by the state. The state pays for the management practices agreed to in the document through the life of the contract.

Control of resident species should be explored. Should a state develop prairie dog management plans, private property rights and protections should be paramount in priority by the state team with specific protection language written into the plan. Congress builds language into acts for the expressed purpose of property protection.

Based on existing congressional acts, suggested language is:

- All actions by the Secretary of the Interior under the terms of the agreement are subject to valid existing rights;
- Any permits, habitat plans, contracts, reintroduction of prairie dogs, related contracts and other instruments made pursuant to this plan shall be subject to valid existing rights;
- There will be no introduction or restrictions on private property and
- No private property will be taken for public use without due process and just compensation.

The Wildlands Project involves connection of corridors. Private property owners would have implementation of certain restrictions on the property so corridors could be connected. The Nature Conservancy would implement this project through conservation easements.

Conservation easements and resulting economic impacts were described.

Public comment:

Jack Simon, representing self, questioned some of the information presented by Mr. Frost.

Commissioner Carter stated the Commission would make decisions based on consultation with its legal counsel, consultation with its science and social dimension within Arizona.

13. Presentation from Wildlife-Oriented, Non-Governmental Organizations

Presenter: Duane L. Shroufe, Director

Many wildlife-oriented, non-governmental organizations in Arizona do not routinely attend Commission meetings, and there is little opportunity to increase mutual understanding or to build partnerships that might better serve the wildlife resources of Arizona. In hopes of accomplishing this goal, at each Commission meeting two non-governmental conservation organizations will make presentations to the Commission about their organizational goals, activities and accomplishments. Under this item, an organization whose mission includes the conservation or restoration of wildlife populations, and/or ecosystems made a presentation.

Sam Campana, director of the Arizona Audubon Society, talked about ways in which the Commission and Audubon Society could work together. There are eight Audubon chapters statewide, with 11,000 members. During the next 20 years, the National Audubon Society intended to build over 1000 Audubon centers nationwide where children can experience the outdoors. Between 3-5 of these centers would be built in Arizona. These centers must contain habitat and the building must be staffed. The education center must be sustainable. Urban areas are the preferred locations for these centers. The Audubon Society would partner with the Department with its Partners-In-Flight staff in identifying important bird areas, would work to ensure Land and Water Conservation Funds were available, and would work to ensure continuance of the Heritage Fund in Arizona.

Bill Branan, Director of the Audubon's Appleton-Whittell Research Range outside Elgin, described the research ranch. The ranch is a cooperative with the Bureau of Land Management, U.S. Fish and Wildlife Service and is a venue for persons doing Master's, PhDs and wildlife research. Wildlife studies have been paired with adjacent ranches. Twenty-six miles of unnecessary fences have been removed and 17 miles of wildlife friendly fences have been erected. Attempts are being made to bring fire into the area and to remove exotics from the area. There has been a lot of community outreach on the part of the research ranch.

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14. Presentation from Wildlife-Oriented, Non-Governmental Organizations

Presenter: Duane L. Shroufe, Director

Under this item, an organization whose mission includes the conservation and consumptive use (sport harvest) of wildlife resources made a presentation.

Marvin Robbins, President of the Arizona Chapter of the National Wild Turkey Federation (NWTf), gave a presentation. Handouts were provided to the Commission. The NWTf Chapter recently facilitated Arizona's two special turkey permits at a total of \$17,500. Mr. Robbins reviewed previous partnerships with the Department. A new program, "Conservation Hero of the Year" award was started where a Game and Fish officer was to be recognized each year.

The NWTF believed if we do not put back more than what we take, we are robbing the species and robbing future generations of hunters. Since 1985, the NWTF spent \$150 million nationwide to restore and preserve the turkey and its habitat. There were 18,000 projects that have been done, with 400,000 members doing the work.

Locally, \$257,000 was spent; \$50,000 worth of fundraising monies would be coming back to Arizona for projects this year.

Mr. Robbins read a few letters from youths who participated in the “Youth Pheasant Hunt”, which was sponsored by the NWTF. The NWTF has taken the lead to give more than 400,000 physically challenged persons an opportunity to participate in hunts. A DART system was purchased for the Hunter Education Program.

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Meeting recessed at 4:28 p.m.

Meeting reconvened at 4:40 p.m.

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15. Public Comment

Don Martin, representing the Mohave Sportsman’s Club (MSC), invited the Commission to the Kids Fishing Day in Region III on May 8. He asked for Commission and Department support of the event and requested a video from the Department. He described recent developments within the MSC and efforts that would be undertaken to rectify the situation.

Blaine Bickford, representing self, invited the Commission to a hunter education event in Springerville on April 27. As Chairman of the Habitat Partnership Committee (HPC), he noted that on May 4 there would be an inventory and assessment tour of past projects in Springerville to make sure the HPC was online with its commitments. In referencing the incidents occurring in Cave Creek, he asked what could be done to eliminate the unethical hunters. The Department was spending monies on hunter education and Operation Game Thief to stop bad hunting practices. Unethical hunting was not tolerable. Today, one can choose to be a sportsman, but when a person voluntarily chooses to cross the line, he is not a sportsman, a hunter or fisherman—he is a criminal, a vandal and endangerment to society.

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11. Hearings on License Revocations for Violation of Game and Fish Codes and Civil Assessments for the Illegal Taking and/or Possession of Wildlife – cont’d.

Presenter: Leonard Ordway, Law Enforcement Branch Chief

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9. Hillside Right-of-Way Acquisition and Road Construction

Presenter: Fred Bloom Development Branch Chief

For almost 20 years the Department has sought to secure recreational access to the northern portion of the Weaver Mountains. Located northwest of Wickenburg, the

Weaver Mountains are a traditional hunting area for mule deer, javelina, and quail and comprise approximately 30,000 acres of State Trust lands. Historical access routes traversed private property. Over time, private landowners have closed all access. To date, efforts have not been successful with private landowners to secure access via the Access Stewardship and Respect programs.

The Department has developed an alternative that will make use of two existing road segments that would be connected by a newly constructed segment, resulting in approximately eight miles of roadway. With the exception of a crossing over Santa Fe Railroad property, for which the state has an existing easement, the entire route is on State Trust land. In June 1999, the Department filed an Application for Right-of-Way with the State Land Department for a ten-year recreational easement along this proposed route. In December 2001, the State Land Department approved the application and has submitted final easement documentation to the Department for signature.

Motion: Gilstrap moved and Chilton seconded THAT THE COMMISSION VOTE TO APPROVE THE ACQUISITION OF THE HILLSIDE RIGHT-OF-WAY EASEMENT ON ARIZONA STATE TRUST LAND TO PROVIDE RECREATIONAL ACCESS INTO THE NORTHERN PORTION OF THE WEAVER MOUNTAINS.

Vote: Unanimous

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5. State and Federal Legislation – cont'd.

Reference SCR 1019, Mr. Guiles stated that in further discussions with the JLBC analyst and budget staff, there was no definitive answer whether or not the Department would be involved. His recommendation to the Commission was to try to secure an exemption for the Game and Fish Department at this point until further clarification was received.

Motion: Carter moved and Gilstrap seconded THAT THE DEPARTMENT SEEK AN EXEMPTION TO SB 1019 FEDERAL MONIES; LEGISLATIVE CONTROL, THROUGH THE LEGISLATIVE PROCESS AS AN AMENDMENT TO THAT BILL.

Vote: Unanimous

Commissioner Gilstrap thought it might be timely for Commissioner Carter and him to meet on Monday with the Chairman of the House Appropriations Committee to discuss this concern with her.

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3. An Update on Current Issues, Planning Efforts, and Proposed Projects on State and Federal Lands in Arizona and Other Matters Related Thereto – cont'd.

Director Shroufe brought up the issue of denial of the right-of-way permit on the Cowan property. This was a time sensitive issue that would expire before the next Commission meeting. Because of that fact, the Commission could take action today. He distributed the package he sent to the Commission two week ago on that issue he stated Mr. Odenkirk could answer any questions on the appeals process.

Director Shroufe clarified that if the attorneys felt the issue was not properly noticed, the Commission could handle the properly noticed situation in May. Mr. Odenkirk stated that because of the time sensitivity of the action under statute, it constituted an emergency under the Open Meeting Law. If the Commission took action now, several steps would be required to be taken to ratify it at a later point.

Mr. Odenkirk added that an appeal would be filed to the existing decision. The Office of Administrative Hearings would probably review the appeal and make a recommendation on the action.

Commissioner Carter wanted the commissioners to be aware of a genuine effort to work with the Cochise County Board of Supervisors and Transportation staff and Tucson regional people. In two weeks, he would be meeting with those groups in a work session to identify all the areas that were closed throughout Cochise County. He also stated that had this notice been sent out in a way that would have notified Ms. Cowan that this item would be considered today, he would be more comfortable. Even though there was a tool to enable the Commission to come back and address this and ratify its action, it would be interpreted by others as a "back door approach". He was concerned with pursuing this at this point.

Mr. Odenkirk noted an option that since the Commission did not have the time to fully discuss the issue, in order to protect its right to appeal, it could decide to go forth with the appeal and consider withdrawing it at the next meeting. The appeal process provided for a settlement conference. It allowed the Department and State Land Department to meet and talk and to possibly come to a resolution prior to a hearing. The Commission would need to file an appeal in order to take advantage of any right to settlement under the Administrative Procedures Act.

Fred Bloom, Development Branch Chief, stated Ms. Cowan asked him if the Commission was going to respond. She was aware of an appeal period.

Commissioner Chilton asked if a motion was necessary or could this be the logical outcome of a previous decision, i.e., logical continuation of a previous vote to take action that the Commission did. Mr. Odenkirk stated the minutes would have to be researched from the prior meeting. He did not think there was anything specifically stated in a prior motion with regard to taking further appeal of a denial of the application.

This item was tabled for a few minutes.

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16. Director's and Chairman's Reports

Director Shroufe stated updates were previously provided to the Commission from the Divisions. He attended a Management Team meeting and a Wildlife for Tomorrow board meeting and the Conservation Workshop on the Imperial Wildlife Refuge.

Director Shroufe attended a MOU signing between the Fish and Wildlife Service and the White Mountain Apache on Mexican gray wolf management. He attended a Joint Venture meeting, the North American Conference in Dallas, a Lake Havasu Partnership Council meeting, and an AORCC meeting.

Director Shroufe referenced the quail survey brochure and stated the Commission had been provided with a copy of the Department's letter to the Arizona Farm Bureau. Nothing else has been received in writing; however, a decision was made to resend to the recipients the original material stating the enclosed material was not necessarily the opinion of the Department and the Commission. Also sent was an abstract of Mr. Holocheck's work and preliminary results of the 2002 quail survey.

Chairman Golightly attended the Conservation Workshop and dealt with shooting range issues in the Flagstaff area.

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17. Commissioners' Reports

Commissioner Gilstrap attended the Arizona Elk Society meeting. He attended a meeting regarding continuation of the Arizona lottery. He attended the Conservation Workshop and worked on legislative matters.

Commissioner Chilton attended two meetings of the Sonoran Desert Conservation Plan Steering Committee. She attended meetings of the Altar Valley Conservation Alliance to work on a Habitat Conservation Plan for the Altar Valley with the Fish and Wildlife Service.

Commissioner Melton worked on a water development project on the Kofa Wildlife Refuge.

Commissioner Carter attended a Cochise County Board of Supervisors meeting, the interagency Mexican wolf reintroduction program, the Eastern Arizona County Board of Directors meeting along with Dale Hall. He attended the legislative hearing on the most recent striker on the trespass bill. He met with members of the Arizona Quail Alliance. He attended the orientation for new members HPAC. He met with various Arizona representatives on the elk management strategy and on Rucker Lake issues.

Director Shroufe distributed correspondence that was received to date regarding the quail issue for Saturday's meeting.

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18. Approval of Minutes

Motion: Carter moved and Gilstrap seconded THAT THE COMMISSION APPROVE THE MINUTES FOR MARCH 8 AND 15, 2002.

Vote: Unanimous

The minutes for February 22, 2002, were signed.

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3. An Update on Current Issues, Planning Efforts, and Proposed Projects on State and Federal Lands in Arizona and Other Matters Related Thereto – cont'd.

Mr. Odenkirk offered one more solution. The Commission could set a telephonic meeting within the next 10 days. It would be within the time limit to file an appeal and would give an opportunity to notify individuals interested in the issue and allow them to participate in the meeting.

There was no motion. Chairman Golightly stated the issue was dead.

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Motion: Carter moved and Chilton seconded THAT THE MEETING ADJOURN.

Vote: Unanimous

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Meeting adjourned at 5:45 p.m.

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Saturday, April 13, 2002 – 9:00 a.m.

Chairman Golightly called the meeting to order at 9:02 a.m. Members of the Commission introduced themselves and Chairman Golightly introduced Director's staff. The meeting followed an agenda dated March 22, 2002.

Awards and Commissioning of Officers

The following employees received pins for years of service with the Department:

Don Mathis, Special Services Division, Development Branch – 20 years

Kevin Bright, Wildlife Management Division, Fisheries Branch – 20 years

Richard Ockenfels, Wildlife Management Division, Research Branch – 20 years

Cathy LaBerge, Wildlife Management Division, Game Branch – 25 years

Tom Selby, Special Services Division, Support Services – 30 years

Chairman Golightly made presentations to the following employees:

Richard Ockenfels - Pronghorn Antelope Workshop Special Recognition Award.

Thomas McMahon - Arizona-New Mexico Chapter of the American Fisheries Society Award of Excellence.

Charles Benedict - Arizona-New Mexico Chapter of the American Fisheries Society Professional of the Year Award

David Belitsky - Collective Award of Appreciation from 10 local Habitat Partnership Committees

Deputy Director Ferrell introduced Joe Foss who presented the 2002 Shikar-Safari Wildlife Manager of the Year Award to Ron Horejsi (Region VI).

Commissioner Gilstrap recognized a Department team who helped maintain the Heritage Fund and who responded with a last minute challenging assignment. Frosty Taylor, Richard Maze, Jeff Casper, Bob Miles, Karen Greenley, and Dana Yost prepared a new brochure overnight that succinctly illustrated the need for Heritage Funds.

1. Hearing on Proposed Commission Orders 2-5 and 7-10 for 2002-2003 Hunting Season

Presenter: Tice Supplee, Game Branch Chief

Ms. Supplee introduced the following individuals: Brian Wakeling, Big Game Supervisor and Amber Munig, Statistician. The following Regional Game Specialists were introduced: John Goodwin, Region II; Jim Heffelfinger, Region V; Bob Henry, Region IV; David Cagle, Region I and Jon Hanna, Region VI. Also introduced was Acting Game Specialist for Region III Chris Crawforth and Scott Zalaznik who prepared and ran the Powerpoint slide program.

Ms. Supplee provided the Commission with information related to Unit 42M that related to action taken yesterday by the Commission. There were no other changes related to wildlife areas (previously Commission Order 1 and now Commission Rule R12-4-802, Wildlife Area Restrictions).

Commission Order 2: Deer

A total of 42,295 permits was recommended for the general deer season. This was a decrease from last year; most reductions were in units in central and northern Arizona. Junior-only deer seasons were recommended at 1,480 permits with 480 distributed around the state and 1000 for the antlerless hunt on the North Kaibab. This was a reduction in permits from last year. The muzzleloader permits were recommended at 985, which was an increase from last year. The recommendation for the Junior-only muzzleloader season was for 30 permits, which was an increase of 10 from last year.

There were some rotations in deer hunts this year. The Junior-only deer hunts would be in Unit 24A, 36A and 36C. The muzzleloader deer hunt in Region VI would be in 20B.

The Department proposed removal of the December portion of the archery, any antlered deer seasons in Unit 27. An August 23-September 12, 2002, season and a January 1-31, 2003, season would be offered in that unit. A new archery only, any antlered deer hunt was recommended for Unit 16A, with season dates of January 1-31, 2003. A change was recommended in the archery only deer hunt in Unit 20B from a split season for any antlered deer December 13-31 and for any deer January 1-31 to any antlered deer for all dates.

Deer management on the Strip, which includes the North Kaibab deer herd, was discussed. These units were in the alternative deer management guidelines in the *Wildlife 2006 Strategic Plan*. The management approach in these units focused on buck hunting opportunities that emphasized harvest of older age class animals, reducing hunter densities and achieving higher hunter success. In the Department's current situation, some of the objectives were not being met; therefore, the Department recommendation was to reduce the overall harvest of bucks by reducing the general season permits. There was also a Department proposal to permit the archery deer hunts in those units. Any archery seasons would be opened concurrent with archery squirrel and archery turkey opportunities where offered in that unit.

There was a good mule deer fawn crop last year. The buck:doe ratio from a statewide perspective was slightly below the guideline range of 15-25 bucks:100 does. We were below population objectives for this species.

There was an improved whitetail fawn crop last year and buck:doe ratios were holding statewide. We were below population objectives for this species.

The North Kaibab experienced a good fawn crop this past year (69 fawns:100 does on the east side and 76 fawns:100 does on the west side).

Reasons for permitting archery hunters on the North Kaibab were given. Archery data is available through 2000. In 2000, archers harvested 467 bucks in Unit 12A; rifle hunters harvested 476 bucks in the same in the same year. A reduction was planned in the number of rifle permits for next season. When Unit 12A-E/W populations were averaged, the buck:doe ratio was 17:100, which was below the guideline. Another guideline was to look at the age of the deer harvested in the late season hunt in Unit 12A. This hunt was scheduled close to the rut.

The proposed Unit 12A permit structure options were explained.

Option I:

Non-permitted archery: The Department projected 3400 people going to Unit 12A to hunt deer during the archery seasons with the current dates. The Department recommendation was for the Unit 12A-W early rifle hunt to be 530 permits and the Unit 12A-E early hunt at 135 permits. The two late rifle hunts would be 100 permits. The Department recommended 1000 antlerless permits for Juniors and 500 antlerless permits for the general season. The anticipated buck harvest with this package was 764 and about 900 antlerless.

Option II:

Permitted archery: The Department recommended 800 permits in the Unit 12A-W early rifle hunt and 200 permits in the Unit 12A-E early hunt. Two hunt numbers would be created on the North Kaibab for archery deer: one would be an early archery season with 1200 permits (buck only) and the second would be a later archery season for any deer for another 1200 permits. To adjust for the archery harvest of does, the general antlerless permits would be reduced to 350 in Unit 12A-W. The anticipated buck harvest with this package is 749 and about 839 antlerless.

Option III:

Reduced archery season length: The Department recommended 635 permits in the Unit 12A-W early rifle hunts and 200 permits in the Unit 12A-E early hunt. Since they would not be permitted, the Department anticipated 3400 or less archers. The Department would change the season dates to the recommended dates for the first hunt in the permitted option; it just would not be permitted. The Department recommended under this option that the archers not be allowed to harvest does. The archers would have a shorter opportunity to hunt deer on the North Kaibab. The Department anticipated the

same harvest of bucks at 750. General antlerless permits were recommended at 500, with an estimated total antlerless harvest of 900.

The permitting options puts in a number of things:

1. It allows the Department to know who has the permits and a harvest checking station would be conducted during the North Kaibab archery hunts.
2. Archers would have to pay the Kaibab fee
3. There would be a cap on the number of nonresidents (10%). Department past data show that approximately 20% of the participants in this hunt were nonresidents.

Unit 12B gets a lot of wintering deer from Utah and the Kaibab; the later hunt would be for the harvest of deer coming in from these other units. The buck:doe ratios declined in this unit and were below the guideline. The archers make up a small percentage of the total harvest when compared with rifle hunters.

Unit 13A buck:doe ratios have been above the guideline. The archers have more variation in their ability to harvest a deer. In Unit 13B buck:doe ratios have been above the guideline. This unit has not had a dedicated archery only hunt opportunity. If the Kaibab archery hunts were permitted, this unit would be permitted as well to offer an archery only deer hunt for the first time.

The Department's Unit 12A antlerless objective was to hold the population at levels where the health of the browse component could be insured, particularly on the west side winter range. The Department has been monitoring browse use. Indications from early readings show low use of the browse and low use was expected in the late readings. The Department recommended antlerless harvest due to the good fawn crop. Ms. Supplee noted the Forest Service would be allowing livestock use next year for the first time since the fires.

A change was recommended for the archery season in Unit 27. The fawn:doe ratio has been below the guideline since 1993. Buck:doe ratios were moving downward. The Department recommended a reduction in the number of permits for the general season. Harvest reduction was recommended for the archers in Unit 27. The reason why two weeks were selected in December rather than in January was that when the data for archers in that unit were looked at, the majority of harvest occurs during the two weeks in December. Another factor is that it is the only migratory deer population that has the December/January archery hunting opportunity; in next year's guideline cycle, the Department will probably recommend complete removal of this hunt structure from Unit 27 because of the decline in this deer population. This would align the archery hunt structure with the other units along the Rim that were suffering a long-term decline in deer herds.

Amendments were noted. One of them was a result from Commission action taken yesterday. A note in the Order would be added to the archery only deer season: "Deer hunting is not permitted in Unit 42M in the following described area: Those private lands lying just north of the Town of Cave Creek in Sections 10, 11, 12, 14 and 15 of Township 6 North, Range 3 East." Director Shroufe further explained to the public that the Commission gave the Department direction to pursue legislation to make a change in

Title 17 (ARS 17-309 (A) (4)). The change would not only include the discharge of a firearm within ¼ mile of an occupied residence, but the discharge of a bow and arrow without permission of the landowner. The public needed to be notified of the correct information. A special news release would be done on Monday.

Another amendment was in the published regulation. Currently the dates read November 15-24 for the late hunts in Units 12A-E, 12A-W and 12B; they should be November 22-December 1.

Another amendment relates to the CHAMP deer on Fort Huachuca in Unit 35A. The published dates were November 1-December 31; the dates should be November 8-19.

The package this year included no Camp Navajo deer permits.

The Department recommendation was THAT THE COMMISSION ADOPT COMMISSION ORDER 2, DEER, AS CORRECTED.

Chairman Golightly asked about archery deer in Unit 13B, with a season opener of August 20. Archery turkey had the same season opener. It was non-permitted for the turkey hunters in Unit 13B. He did not think the deer hunters in that unit would tolerate the turkey hunters being in the same area. Ms. Supplee noted archery deer, turkey and tree squirrel seasons were purposely overlapped to maintain tradition in the non-permitted environment. This was true in other areas and Chairman Golightly's concern would be valid in all of them. The permitted archers could only hunt deer; other archery hunters who did not have a deer permit could legally hunt turkey and squirrel during those same dates. The same situation existed for the archery elk hunts because of R12-4-309, Restricted Hunts.

Ms. Supplee noted that permitted deer hunters in Units 12B, 13A and 13B would be sent letters requesting them to extract a tooth from harvested deer and send it to the Department.

Commissioner Carter asked about the Department's proposal to remove the archery deer hunt in Unit 27 in December and January. He asked about restoring a hunt in that unit for December. Ms. Supplee noted more bucks were taken in December than in January. If the Department were to defer this action, it would further reduce the permits in the two general seasons to account for deer harvested in the archery season. With that adjustment, the Department could restore the December archery hunt. Commissioner Carter noted the drought and the potential for wildfires in that part of the state might return habitat conditions that may result in a higher fawn crop. The Commission may want to look at this issue next year should conditions not be favorable.

Public comment:

David Myrick, representing the Christian Bowhunters of America, talked about the Kaibab archery deer hunt being permitted. The group did not support a draw for these hunts. Several things could be done or started this year by sportsmen's groups that could help the Department get the results it wanted on these hunts without going to a draw. One of the things that could be done this year to reduce hunter density and reduce the take of trophy bucks would be to change the season dates. If the seasons were moved

back to coincide with the general archery deer and archery antelope hunts, the hunters would choose to hunt areas other than the Kaibab because the whole state would be open. Another proposal was for shorter season dates; shorten from three to two weeks. Things could be done at a check station: 1) check hunter success and 2) distribute hunter education brochures and survey cards. Some ideas for the future from sportsmen included 1) Kaibab stamp that required an application to be filled out; 2) increasing the price of the application fee (not for Juniors) and taking nonresidents only to a drawing.

Some of the disadvantages of a draw were 1) it could become a draw statewide for archery deer and could become a choose-your-weapon state; the 10% cap on nonresidents (if the first drawing was not filled for archery deer, there should not be a 10% cap on any of the leftover permits).

Ms. Supplee stated last year the Commission deferred any action for a Kaibab fee/stamp until Article 1 opened under the normal review cycle (the process would begin July 2002). The idea to operate check stations with sportsmen's groups' volunteers could be implemented in the context of this year's Orders. (This could be added as a footnote to the archery deer Order.) Limiting nonresidents exclusively in a draw would require a new rule and probably would require legal counsel. Mr. Odenkirk added the issue regarding discrimination against nonresidents was before the courts now; the Commission was waiting on a decision by the 9th Circuit. It may be best to wait before deciding how to handle the nonresident issue. There would be a rule requirement if nonresidents were limited to all deer hunting north of the Kaibab.

Glenn Sheldon, representing self, noted he provided information to the Commission yesterday on economical ramifications that would happen with the permitting of archers. This could result in archery permits in other units statewide as requested by ranchers. He agreed with Mr. Myrick's idea on a stamp program as it would provide current data for better wildlife management. A voluntary check station would allow the Department to obtain information on site. He wanted to see three years of solid data before making a decision regarding permitting archers. After three years, he wanted to see a symposium held.

Commissioner Carter thought the idea of a stamp was good but the issue would have to go to the Legislature with regard to fees. He did not think this would be acted on quickly.

Jerry Stewart, representing self, agreed with Mr. Myrick to not go to a draw. The issue of survey cards was discussed. Ms. Supplee noted 11,000 survey cards were mailed last year and the total sale of archery tags was 23,000. The average return was 45% (5000) statewide.

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Meeting recessed at 10:48 a.m.

Meeting reconvened at 11:08 a.m.

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Thomas Sissom, State Chairman of the Arizona Bowhunters Association (ABA), stated 87.5% of ABA members agreed there was a problem on the North Kaibab. There was a lack of information to base a decision on what the problems and statistics were. The ABA wanted to assist the Department in gathering data and information. More research

was needed and the permitting of archery hunters on the North Kaibab should be tabled today.

Lonnie Crabtree, representing Corner Archery, noted an increase in the number of Kaibab archery hunters. One way to reduce hunter density was to return to the original hunt date (August 23-September 12). If the Commission went to a permit system, it may not reduce hunter density because non-permitted archery turkey hunters would be in the area the same time as permitted archery deer hunters. The Department also needed to look at the nonresident hunters; one way to do this was to go to a check station. Ms. Supplee noted the Department recommendation was August 30-September 12. This was a shorter season than what Mr. Crabtree suggested.

Kevin Curran, Arizona Game and Fish Liaison for the ABA, wanted to help rectify the problem on the North Kaibab. As far as moving the seasons back, this might help align with the deer hunts going on in Colorado and Utah and those states' residents would remain in their own states. Chairman Golightly asked Ms. Supplee what would happen to the hunt package if the dates were moved back to August 23-September 12. Ms. Supplee stated it would have the same effect. The Department wanted to remain with the shortened season. The Department was agreeable to ending the season sooner vs. starting it later. The Department would investigate conflicts with other hunts.

Jim Solomon, co-host of Outdoors Arizona, felt the use of volunteers was an excellent idea. He would be willing to get information out via his radio show for volunteers to man the check stations. There were web sites that could be used. Commissioner Chilton referenced yesterday's issue with regard to hunting in sections of Cave Creek close to private property. She suggested that Mr. Solomon use his radio show to get the message out for hunters to use good sense and ethics.

Danny Button, representing the Arizona Mule Deer Association (AMDA), stated the consensus in the Fredonia area was that a draw was needed. If other things mentioned could be done, it may be good to postpone the drawing for a year or two. If nothing was done, a draw was necessary to have accountability. It was a critical time with the browse situation and with the drought. He did not want to see the deer herds decline further. He wanted to see no more general doe hunts, but rather to reserve those for Juniors. The AMDA supported a decrease in rifle deer tags. He thought moving the dates back would make a difference. He did not want to see turkey and squirrel hunters in the area at the same time as the deer hunts.

Richard Leightner, President of the Buckskin Chapter of the AMDA, stated there needed to be accountability for the deer that come off the Kaibab. In order to have older age class deer, you cannot do it on a voluntary basis. As long as the deer are accounted for at a check station, the need to permit the archery hunters could be delayed. He addressed the archery antlerless hunts; he did not want to have general antlerless hunts whether or not the hunts were permitted. The Junior antlerless hunts should continue but with a reduction in numbers. Ms. Supplee noted livestock would be returning and precipitation this year was not as good as it was in the past. The Department believed the deer herd would increase with the recommendation before the Commission. If the Department considered Mr. Leightner's recommendation, the rate of increase would become more pronounced and would result in higher deer numbers.

Max Hernandez, Jr., representing self, did not want a draw but wanted a check station. One way to increase the buck:doe ratio and decrease harvest was to add an antler restriction. Mr. Hernandez would be sent information from the Department.

Max Hernandez, Sr., representing self, did not want a draw on the North Kaibab. If this happened, there should be a slot (waiting period to reapply if drawn). The Kaibab was a special area to him.

Blaine Bickford, representing self, spoke on the entire archery package. He opposed any change at this time. In Unit 27, the deer herds were declining and were within ½ mile of a road. He spoke about overcrowding in the field. He spoke regarding an archery season during the traditional time in Unit 13B. The deer were too dependent upon the water; therefore, it was a detriment to the older class deer and the deer in general. He supported the volunteer activities; the Department needed to embrace this volunteerism and should extend it beyond check stations. There needed to be cooperation between the hunters and land management agencies.

Eric Pearson, representing self, was concerned about harvesting spike deer vs. deer with branched antlers, not only statewide, but specifically in southern Arizona with whitetails. More and more spikes were being harvested in southern Arizona. He thought that the quality of a hunt would be increased if the Commission adopted a branched antler policy.

Pete Cimellaro, board member of the AMDA, agreed with Messrs. Button's and Leightner's statements. It was important to have accurate data when managing wildlife, in particular mule deer. Mule deer are not managed today; land management agencies have lost the ability to control predators. A number of things have happened to deer herds, e.g., severe drought and loss of trapping. A solution should be found without permitting archers on the Kaibab. The AMDA was concerned with antlerless hunts on the Kaibab. When antlerless deer were taken a few years ago, it was done in an effort to protect the west side winter browse. This was an area critical to mule deer in the winter and it was in trouble. At that time, the agency was asked not to remove does from the Kaibab in general, but remove them from herds that frequented the west side. There was no need to remove does throughout the Kaibab, i.e., those on the north end. The browse was returning and things were going well with recruitment. Units 13B and 13A were the only two units in the alternative management plan that show management goals being reached. The AMDA recommended a reduction in the number of general firearms permits in Unit 13B (reduction from 65 to 50) with no establishment of an archery hunt. John Goodwin, Region II Game Specialist, responded. Unit 12A-W boundaries included the north end of the Kaibab plateau; about a 10% harvest of does comes off the north end, which mirrors the percentage of the population that comes off the north end. There have been browse transects on Unit 12B in the north end. The numbers mirror those in Unit 12A-W in general. Utah has had an antlerless hunt in the Buckskin Mountains near Unit 12B. The herd in Unit 12B was indirectly experiencing an antlerless hunt. The Unit 12A-W and Utah antlerless hunts were removing some of the animals, which has prevented the Department from the need for a Unit 12B antlerless hunt.

Darla Solomon, co-host of Outdoors Arizona, stated that in looking at the numbers of the Kaibab deer herd, she saw a small number of people who were hunting there as well as a small number of harvested animals. There was a 9% variance; this could be a difference between 204 harvested animals as opposed to 495. This was an unknown number. The

Commission should look at the outdoor enthusiasts as they were willing to volunteer to help the Department. Data were needed before making a decision.

Don Martin, representing the Mohave Sportsman's Club (MSC), stated the resource should be the number one concern of all sportsmen. Rifle hunters currently pay a \$5 fee for the privilege of hunting on the Kaibab; there should be a way to assess a \$5 fee on others who use the Kaibab. Another concern is that rifle hunters lose bonus points when they go deer hunting; archers do not lose bonus points. The 10% limit should be in effect on nonresidents on the Kaibab regardless if they are archery or rifle hunters. Regarding the permitting proposal, the MSC supports the permitting of the archery deer hunts north of the Colorado River and issue permit tags to the archers in Units 13A and 13B. They also supported the reduction in tags to rifle hunters in Unit 13B to 50 permits. If the Commission approves a check station for archery hunters this year to collect data, the MSC would support archers in delay of the implementation of permitted archery hunts for one year. The MSC supported the archers that no further restrictions on archery only non-permit hunts (south of the Colorado River) be implemented by the Commission or Department.

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Meeting recessed at 12:15 p.m.

Meeting reconvened 12:40 p.m.

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Ms. Supplee reviewed the public's comments. Mr. Curran suggested that the season opener coincide with the opener for the rest of the state. She stated those dates would be August 23 to September 5 for Management Units 12A, 12B and 13A. Unit 13B, if it were permitted, would travel with these. Ms. Supplee noted the two options now before the Commission were 1) to not permit these hunts but keep the dates or 2) to permit these hunts.

Motion: Chilton moved THAT THE COMMISSION ADOPT THE THIRD OPTION, NOT PERMITTING; ALSO INCLUDED WOULD BE THE CHANGED DATES OF AUGUST 23 TO SEPTEMBER 5 IN UNITS 12A, 12B, AND 13A; THAT A CHECK STATION FOR 12A-E AND -W BE UTILIZED FOR THE ARCHERY DEER HUNT TO GATHER INFORMATION NEEDED FOR MANAGEMENT PURPOSES, AND THAT THE COMMISSION SOLICIT AND ENCOURAGE PEOPLE FOR THEIR COOPERATION IN THESE VOLUNTARY HUNT GROUPS TO HELP THE DEPARTMENT IN THIS PROCESS. FURTHER, THAT STEPS BE TAKEN TO IMPLEMENT THE KAIBAB STAMP FOR THE ARCHERY DEER PERMITS IN 12A-E AND -W.

Ms. Supplee stated there was no history of a check station requirement in Unit 12B for rifle hunters. A check station in that unit would result in a minimal sample set in that unit; it may introduce some concerns from hunters about getting to Jacob Lake.

Ron Sieg, Region II Supervisor, explained briefly that he understood the Department could implement a stamp for the 12A archery hunters and it had the logistical ability to put it into place in a short period of time.

Commissioner Gilstrap asked Commissioner Chilton to consider separating the stamp issue from her motion. Mr. Odenkirk clarified a change would be required in the existing rule for the stamp. This could not be done at this meeting.

Chairman Golightly stated the stamp would be removed from the motion.

Commissioner Carter asked Commissioner Chilton to include language with respect to the Unit 27 hunt dates of December 13 through January 31. He preferred the Commission vote on a comprehensive Order with all of the components. Commissioner Melton suggested removing the November 8 November 13 12A-W Kaibab North antlerless hunt with 350 permits as requested by the Mule Deer Association; further, to remove the August 30-September 12, 2002, 13B any antlered deer as an archery hunt.

Ms. Supplee noted that two of the recommendations would have an effect on the general permits. The Department suggested that, with the return of the December season, the two rifle hunts be reduced another 75 permits each in Unit 27. With the deletion of the archery hunt in Unit 13B, 15 permits could be restored to the general season.

Ms. Supplee stated how it would work with the restoration or deletion of general permits. An amended motion would be THAT THERE WOULD BE AN AUGUST 23-SEPTEMBER 5 ARCHERY ANTLERED ONLY DEER HUNT IN MANAGEMENT UNITS 12A, 12B and 13A; THAT THE ARCHERY DEER HUNT IN UNIT 27 WOULD HAVE DATES OF DECEMBER 13, 2002 to JANUARY 31, 2003; FURTHER, THAT THE TWO GENERAL DEER HUNTS IN UNIT 27 BE REDUCED BY 275 PERMITS EACH; THAT UNIT 13B, GENERAL DEER HUNT, WOULD GAIN 15 PERMITS AND BE AT 65; THAT THE CHECK STATION REQUIREMENT FOR THE UNIT 12A ARCHERY DEER HUNTERS WOULD BE PUT INTO PLACE AND TO REMOVE THE 12A-W GENERAL ANTLERLESS HUNT FOR A REDUCTION OF 350 ANTLERLESS PERMITS.

Commissioner Chilton reaffirmed the motion with amendments; Commissioner Carter seconded the motion with amendments.

Vote on Amended Motion: Unanimous

Further discussion occurred regarding the motion. Commissioner Carter explained Commissioner Chilton never had a second on her motion. He asked her if the Commission could expand on her motion; dimensions were added for Commission Order 2. In its final form, she reaffirmed her motion and he seconded it. There was never a valid motion on the floor until it was seconded, and the form that was seconded was the one that used building blocks.

The amended motion did include the non-permitted hunt recommendation for all of the archery hunts north of the Colorado River.

Ms. Supplee summarized the Commission's action by its vote. To allow non-permitted archery deer hunts in Units 12A, 12B and 13A, August 23-September 5; check station note requirement for those who hunt Unit 12A; minus 350 antlerless general permits in Unit 12A-W, which equaled no hunt, plus 15 antlered permits in 13B general rifle; December 13-January 31, archery hunt in Unit 27 with a minus 275 from each of the

general season hunts, which would yield 575 permits in the first hunt and 625 permits in the second.

Ms. Supplee noted the reduction to 635 permits for the Unit 12A-W early hunt if the archers were not permitted on the dates were changed.

Motion: Chilton moved and Carter seconded THAT THE COMMISSION VOTE TO APPROVE THE NON-PERMITTED HUNT AND REDUCE THE ARCHERY SEASON LENGTH.

Vote: Unanimous

2. Hearing on Proposed Commission Orders 11-18 for 2002-2003 Hunting Season

Presenter: Tice Supplee, Game Branch Chief

Commission Order 16: Quail

Ms. Supplee stated the Department recommended no change from the previous year with the exception of falconry only season dates in the metropolitan units of 37M, 39M and 42M. In addition, with action taken at yesterday's meeting for Unit 42M, the same closure area added to Commission Order 2 would be added to this Commission Order.

During 2002, the Department expanded its questionnaire from 12,000 to 15,000 names. This was to try to improve sample quality, specifically for scaled and Mearns' quail hunters. The Department designed an additional questionnaire specific to quail hunters; this was mailed to 6000 that were derived from sales of Migratory Bird Stamps. An identical questionnaire was sent to a smaller sample set of individuals who were identified as Mearns' quail hunters. Results were given from the questionnaires.

There were similar data sets between the Department and the Arizona Quail Alliance.

It did not matter what was chosen as an index, but once it was chosen, it had to stay the course over time because information in a given year was meaningless until it was placed in context with the years that precede it. It was the Department's intention to run the survey based on the Migratory Bird Stamp sample to see if it could get a calibrated relationship between that sample frame and the hunt license. Once the Department felt there was a relationship, the historic data could be adjusted to the new numbers. This was trend data; they were not absolute value.

Hunters were asked how many reached the daily bag limits for various quail species. The question was asked over time in one-month increments. The intent of this question was to A) see what percentage of hunters was getting a bag limit and B) to see if that would function as an index of hunt quality. B showed no change because the answer to A was that a small percentage of the total people hunting (17%) actually got a bag limit.

Related to the bag limit for Mearns' quail, reductions in bag limit would reduce the overall absolute harvest. As far as this bird's ability to renew itself for the next year, the Department believed that with proper habitat conditions, it had the potential to come back at premium numbers in any given year with or without hunting. This was the reason why

the Department recommendation was for a 15-bird bag limit; 30 in possession. Research that has been done supported the recommendation.

The Department recommendation was THAT THE COMMISSION ADOPT COMMISSION ORDER 16, QUAIL, AS AMENDED FOR UNIT 42 METRO.

Public comment:

Tad Pfister, President of the Arizona Quail Alliance (AQA), believed a reduced bag limit for Mearns' quail would improve the quality of the hunt throughout the season, increase the number of breeding pairs for the next season; because of this Mearns' quail populations would be stabilized over the long period. All of this would improve recreational opportunities for all Mearns' quail hunters.

Troy Hawks, representing the Western Gamebird Alliance, stated the issue had become politicized. When the Governor's Office gets involved, it was interfering in game management. Current laws needed to be enforced; new laws were not needed. If existing laws were enforced, he thought the small population who over-harvested would be taken care of.

Linda Pfister, representing the AQA, asked questions about wing barrel data. She asked if there would be a more accurate picture for those years with little participation and hunter days. Ms. Supplee stated it depended on what one wanted to do with the information. The Department's perspective was to try to understand over time what was happening with the hunt. As it related to quail and quail management, the question was whether or not the hunt was self regulatory. If averaged, it would take the Department more time to get a statistically tight data set for the bad years because there would be fewer numbers to work with. The birds per day effort over the course of the season was a non-linear relationship.

The AQA recommended the collection of more data to build a bigger database of hunter days for the Department. The more days you collect, the higher the kill per day and the more hunter days in the field. An important consideration the AQA found from its surveys was that hunters were voluntarily limiting their take. Game and Fish data shows that lowering the limit did not lessen the number of hunters. The lower bag limit would provide a more even hunt success throughout the season and better protect the bird.

Motion: Gilstrap moved and Chilton seconded THAT THE COMMISSION ADOPT COMMISSION ORDER 16 WITH THE FOLLOWING: UNDER MEARNS' QUAIL BAG LIMIT, GO TO A 10 DAILY AND 30 POSSESSION LIMIT; ALL OTHERS IN COMMISSION ORDER 16, TO STAY THE SAME.

Commissioner Carter asked the maker of the motion and the second to consider a modification to include the administrative components with respect to metropolitan unit 42 and the sections that were moved yesterday. Commissioner Gilstrap stated this was included in the recommendation.

Vote: Carter, Chilton and Gilstrap – Aye
Melton – Nay
Motion passed 3 to 1

Commissioner Carter explained his vote. Even though science was not absolute, the Department made a genuine effort in developing some science in the collection of data over a three-year period. It was important that it be challenged and subject to peer review. He believed the species to be more of a social issue than a scientific issue. He wanted to support a number that tried to blend what science says is doable on a daily basis with what the social attitudes were and the concerns of the Commission.

Ms. Supplee stated there would be a note related to this differential bag limit in the regulation that would remind quail hunters ARS 17-309 requires wildlife in possession to be identifiable as to species. R12-4-305 states that for persons transporting or possessing quail, each quail have attached a fully-feathered head or fully-feathered wing or leg with foot attached.

Chairman Golightly thought this was a social issue. The political part did not have an effect on the Commission; the focus was more on biological and social issues. He understood another research project would probably be undertaken that would incorporate all species of quail.

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Commissioners Carter and Chilton left the meeting at 1:50 p.m.

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Ms. Supplee reviewed the hunt permit-tag application schedule for fall 2002 and spring 2003. The biggest change was that applications would be accepted by phone or through the Internet on the first-come, first-serve; therefore, there were no applications accepted by mail in the application schedule for those permit tags issued first-come, first-serve. Sandhill crane and raptor permits are hand-drawn hunts and would have applications accepted by mail only.

Motion: Melton moved and Gilstrap seconded THAT THE COMMISSION ADOPT THE APPLICATION SCHEDULE AS PRESENTED.

Vote: Gilstrap and Melton – Aye
Chair voted Aye
Carter and Chilton – Absent
Motion passed

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1. Hearing on Proposed Commission Orders 2-5 and 7-10 for 2002-2003 Hunting Season-cont'd.

Commission Order 3: Pronghorn Antelope

A healthy buck:doe ratio was being maintained and fawn crops were good last year. Overall, the population was below the objective.

Human encroachment was affecting antelope numbers. More of the antelope hunting opportunity is in areas that can only accommodate archery because of the proximity of human habitation.

The Commission has received requests from the public to hunt the antelope population in Unit 7M. Hunting would be limited to bow and arrow only. The Department recommended a Unit 7M archery antelope season. Because some of the population resides in Unit 6B, there was a reduction in permits in that unit to compensate for this hunt coming online.

The other change was a reduction in the open area in Unit 19A for the archery hunts, which was in response to increasing development.

The Department recommended a 14 permit reduction for general antelope; no change on the Juniors but the area would change from Unit 2C to Unit 3C; a reduction of one muzzleloader permit and a reduction of 23 archery permits.

Motion: Gilstrap moved and Melton seconded THAT THE COMMISSION ADOPT COMMISSION ORDER 3, PRONGHORN, AS PRESENTED.

Vote: Gilstrap and Melton – Aye
Chair voted Aye
Carter and Chilton – Absent
Motion passed

Commission Order 4: Elk

The population was below long-term objectives. Lower population levels were due to drought and forage availability. The elk harvest was slightly above the year before. There were good bull:cow ratios. Calf crops were low. A lot of adjustments in permits were in response to increase in permits during the past few years to bring the herds down and not that many elk would be brought into the population this year because of lower calf crops.

It was recommended to have an overall reduction in antlerless permits. Bull permits were adjusted for archery, which was due in large part to the huge archery hunter success. Rifle and muzzleloader hunt success declined last year.

In Region I, the Department felt it got the harvest that it wanted last year and the permit decrease recommendation for next year was related to this fact. A lot of forage monitoring was occurring in this region.

In Region II, the Department was not running as much forage monitoring. A lower harvest was predicted in standard units. The reduction in calves was much more pronounced as compared with previous years.

The Department had recommended the Unit 6A archery elk hunt not be stratified into one-week hunts and Unit 27, cow archery not be stratified into one-week hunts. Both of those Units were returning to the standard archery season structures. Unit 6A will continue to be split into 6A-N, 6A-S and 6A-W.

The Department recommended limited elk hunts. A synopsis was given.

The Department recommended that the Commission adopt Commission Order 4, Elk, as presented.

Public comment:

Lyle Button, Arizona Regional Director for the Rocky Mountain Elk Foundation (RMEF), stated he was pleased with the Department's public meetings on elk management.

Randy Bonney, representing self, noted conflicts between elk and livestock. He did not want to see landowner tags. He did not see any elk while scouting and hunting for elk last year in Units 5A or 8. He suggested the public have hunt success data available before the Commission meeting. The public should be educated about ATV and OHV use; there were too many people road hunting.

Gary Anderson, representing self, stated he was an archer last year in Unit 6A. He saw 13 elk last year (5 bulls and 8 cows); in 1994, he saw 185 elk. Something was wrong with the numbers. He noticed an 83% drop in archery bull tags in Unit 6A for next season. Ms. Supplee stated the allocation formula was statewide; there were so many permits in Unit 6A, that is where the formula works. Unit 6A is differential and the archers lost more than their fair share in that specific unit.

Chris Denham, representing self, commented was in the field during the general rifle hunt in Unit 10 during 2000-01. One of the problems with the increase of permittees in the unit was poor hunt quality. The quantity of archery permits was out of line. He proposed splitting the general hunt into two hunts: 165 general tags for season dates of November 15-21 and another 165 general tags for season dates of November 22-28; 20 early bull tags and 120 archery bull tags. The positive of this would be lower hunter densities, which should insure the Department's goal of a higher hunter success. There was a high bull ratio in that unit. Ms. Supplee stated those dates were open and his recommendation could be considered.

Gary Kivela, representing self, was interested in Unit 4A. He shared Game and Fish data over the past four years. A handout was presented to the Commission. He presented his calculations. He noted the numbers did not add up. Ms. Supplee noted it was difficult to talk about the elk package statewide. A person needed to look at it according to herd populations. Elk numbers have been reduced in many units during the last few years.

Benny Aja, Chairman of the Game Committee of the Arizona Cattle Growers Association, was concerned with the reduction in elk permits and thought it was too aggressive for this year. He liked Mr. Denham's idea for stratifying the Unit 10 hunt. This would improve the quality of the hunt, especially for archers.

Jack Simon, representing self, was concerned with the reduction in elk numbers. This year's recommendation was a great improvement over last year. The elk herds have not been expanding and have been declining since 1991. Last year was probably the worst calf crop this state has had for elk. He stated there were two methods for monitoring: one was for elk and the other was for livestock. He urged the Department and Commission to adopt the same standard that was used for livestock grazing.

Doug Stancill, board member of the Arizona Elk Society, was concerned about the over-harvest of cows in areas that have good forage and relatively no or little cattle. He wanted to see a reduction in cow permits for next year.

Darla Solomon, co-host of Outdoors Arizona, was concerned about existing elk herds not having forage or water due to the existing drought. Was the state looking at a deprivation of its elk herds due to lack of food and water rather than hunter pressure and successful hunt rates? If 19% of the elk tags were for archers with a 37% success rate, the greater number of tags being reduced were in the archery hunt. It would be more effective to reduce the general hunt tags because the success rate was 43% for 75% of the tags. If the number of general elk tags was reduced, the Department would be reducing the number of harvested animals at a greater rate. She asked the Commission to consider the percentage of reduction in archery tags as compared with general tags for the upcoming elk season. She wanted to know the Department's strategy to manage the elk herds with lack of food and water. Ms. Supplee noted the public had not commented on this issue previously. She stated that in terms of the statewide formula (an absolute number of permits) the allocation formula was adhered to this year. The context for this year's package and the change was last year permits were increased by 4000 permits and were being decreased for this year by the same amount. In fact, the Department went back to where it was two years ago. The added difference was in what units that occurred and the loading of the adjustment on the bull side.

Don Martin, representing self, noted the lack of information on hunt success in previous years. It was hard to comment on the recommendations when the hunt success was unknown by the public for the previous year. It would be advantageous to have the information before the meeting. He was concerned about the Unit 6A stratified archery hunts. The numbers of elk were down significantly. In Unit 6A south, in 2000, he saw 71 bulls; in the same area 52 bulls (38 six points; of the six points, 29 had one or more broken points) were seen last year. In Unit 23 north, the mature bulls have broken points. He was told the reason for this was a high bull density.

Dan Hunter, representing the Rocky Mountain Elk Foundation (RMEF), stated relief measures should be taken to help wildlife in the next few months during the drought situation. Government agencies, private property owners, private citizens, state and national conservation groups need to form a coalition designed to assess and address the current statewide drought conditions. Funds were needed to help in this effort. Local ranchers and wildlife managers need to identify water sources that they think will need to be repaired or developed and need water hauled to. A priority listing should be made of these waters. The RMEF proposed to form a coalition made up of conservation organizations, Game and Fish, Bureau of Land Management and the Forest Service. This coalition should be formed immediately to start the process of addressing the situation. The RMEF would take the lead in contacting other state and national conservation organizations. The RMEF would pledge an initial \$10,000 to get the effort operational. Director Shroufe stated the Department's regional offices were directed a month ago to have a drought plan in place and the Department has priorities in relation to maintenance and water hauling. Mr. Senn, Assistant Director for Field Operations, stated the regions have started putting drought plans in place and critical waters have been identified. Mr. Hunter also stated Unit 10 had crowded conditions last year and he supported a split season for bulls in the unit.

Motion: Gilstrap moved and Melton seconded THE DEPARTMENT'S RECOMMENDATION WITH THE EXCEPTION OF PUTTING STRATIFIED DATES ON UNIT 10 FOR 165 GENERAL TAGS FROM NOVEMBER 15 THROUGH 21 AND 165 GENERAL TAGS FROM NOVEMBER 22 THROUGH 28; THE EXISTING EARLY TROPHY BULL TAGS AND INCREASING BY 20 THE ARCHERY BULL TAGS.

Vote: Gilstrap and Melton – Aye
Chair voted Aye
Carter and Chilton – Absent
Motion passed

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Meeting recessed at 3:22 p.m.

Meeting reconvened at 3:34 p.m.

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3. Call to the Public

Pete Cimellaro, representing the Wildlife Conservation Council, talked about water conditions and the water development program. He spoke for four organizations: Arizona Antelope Foundation, Arizona Desert Bighorn Sheep Society, Arizona Elk Society and Arizona Mule Deer Association. The organizations asked the Department to work with them in a two-prong approach:

1. Identifying waters we have on the ground. The Department does not have all the information because of different jurisdictions of land management agencies, different concerns of waters that really are not wildlife waters but are used by them, etc. We need to find out the conditions of those waters; then, find out if they can be repaired and find out if the repairs are cost effective.
2. Looking at the feasibility of building new waters. Only after we have a complete picture of what was on the ground could a determination be made as to whether or not new waters should be built.

He asked the Department to work with the organizations to assemble a complete database statewide for wildlife waters. With the database, better informed decisions would be able to be made, regular inspections would be established, problems would be identified and rectified with maintenance, thus making the program much more effective. He hoped to meet with the Department to determine what was needed to make this happen. Game and Fish would be the lead agency.

Chairman Golightly agreed that as Chairman of the State Habitat Partnership Committee (HPC) his interest this year was funding water development projects and water maintenance. He believed that those types of projects should supersede habitat projects this year.

Kevin Curran, representing the Arizona Bowhunters Association (ABA), was concerned with the closure of Unit 42M. He asked when this was going to stop as more and more areas become developed, e.g., Prescott Valley, Fountain Hills, Scottsdale, White Tanks. Hunters were losing their privileges because of people who want to call themselves hunters. He felt he was being punished for what those people had done. If there was any private landowner or rancher having a problem with people destroying property, he asked that they contact the ABA and he would insure the problem would be rectified.

1. Hearing on Proposed Commission Orders 2-5 and 7-10 for 2002-2003 Hunting Season-cont'd.Commission Order 8: Buffalo

Brian Wakeling, Big Game Supervisor, made the presentation. A total of 60 buffalo permits was recommended for the fall season. The hunt in Units 12A and 12B (House Rock) would be offered in the format of three 26-day seasons of September 20-October 15, November 1-26 and December 6-31. In each of these hunts, there were three any and 12 yearling cow permits recommended. Fifteen yearling permits were recommended for Raymond Ranch. There would be five 4-day hunts with three permits each beginning September 27-30; October 11-14; October 18-21; December 6-9 and December 13-16.

The Commission was presented with potential management options in conjunction with the recommended hunting structure for Units 12A and 12B that may be possible for the fall 2002 hunting season.

The Department's primary recommendation this year was developed following a stakeholder meeting with a number of individuals who had been involved with hunts in the past. Part of the objective for House Rock with the 26-day hunt was to try to increase hunt success over previous years while still trying to maintain harvest.

There were other management options presented for the 2002 buffalo hunts in Units 12A and 12B:

1. Camping restrictions
2. Use of supplemental feeding
3. Alternate hunt structure opportunities

Three additional options were presented for Commission consideration.

Option I was the same as previously given, but with the option to provide an opportunity for unsuccessful hunters during the fall 2001 hunt to have first opportunity of those permits for the upcoming year. Because there were only 45 tags, there would have to be modifications and allowances so that those hunters might need some extension to address opportunities in the spring hunt as well.

Option II dealt with offering shorter hunts with lower density hunters, i.e., four hunts with a 26-day cleanup hunt at the end. Season dates offered were September 20-29; October 4-13; November 1-10 and November 15-24, 2002. Cleanup date would be December 6-31, 2002. In an effort to keep a low hunter density, which could in turn affect hunt success, there could be 5-7 permits in each hunt and the legal animal could be any buffalo. Successful permit applicants would have to pay \$755 for an any buffalo tag. A similar hunt could be offered for the spring season; however, that would have to be authorized at the August Commission meeting.

Option III would be to amend Option II to accommodate the 41-43 unsuccessful 2001 hunters by providing them with the first opportunity at the any buffalo permits authorized for the 2002 fall hunts. Because this structure would, at most, provide 33 permits during

the fall 2002 (3 hunts with 7 permits and 1 hunt with 8 permits for unsuccessful hunters, plus one additional tag for each hunt for the draw), additional seasons might be established during spring 2003 (January 3-12, 7 any buffalo; January 17-26, 7 any buffalo, plus one additional tag for each hunt for the draw; March 14-April 13 cleanup hunt for unsuccessful spring hunters). This approach would require addressing buffalo hunts at the 2003 August meeting to accommodate unsuccessful 2001 fall hunters.

The Bison Management Team was developing long-term options for the House Rock Wildlife Area (HRWA) bison herd. These included:

- . Construction of bison-proof fencing around the entire HRWA
- . Construction of a fence to restrict bison to the northeast portion of the HRWA (fencing options may have implications regarding “fair chase” status of these hunts)
- . Construction of a bison-proof fence along the Grand Canyon National Park boundary
- . Elimination of bison from the HRWA and Units 12A and 12B
- . Removal and reestablishment of buffalo on the HRWA with naïve animals unfamiliar with habitat
- . Management of bison as free-roaming wildlife on Units 12A and Unit 12B (status quo)
- . Reduction of the bison population by using lower permit fee and hunter pool concepts developed in rule while maintaining bison on HRWA
- . Negotiation of agreements with the Bureau of Land Management and livestock permittees in House Rock Valley
- . Vegetation management to improve suitability of habitats on and adjacent to HRWA
- . Consultation with bison management experts familiar with the area to address additional options and training for personnel

Public comment:

Blaine Bickford, representing self, appreciated efforts by Department personnel to address management of the HRWA bison herd. Mr. Bickford was a member of the citizens’ group who had input on this issue. The options presented were a good first step to better management of the buffalo on the HRWA. There were many reasons why there should be no fencing along the Grand Canyon National Park boundary; they primarily involve mule deer.

Motion: Gilstrap moved and Melton seconded THAT THE COMMISSION ADOPT THE RECOMMENDATION AS OPTION 2, WHICH IS THE ALTERNATIVE TO LOWER HUNTER DENSITY WITHOUT ACCOMMODATING FOR UNSUCCESSFUL FALL 2001 HUNTERS.

Vote: Gilstrap and Melton – Aye
Chair voted Aye
Carter and Chilton – Absent
Motion passed

Motion: Melton moved and Gilstrap seconded THAT THE COMMISSION ADOPT THE DEPARTMENT RECOMMENDATION FOR RAYMOND RANCH.

Vote: Gilstrap and Melton – Aye
Chair voted Aye
Carter and Chilton – Absent
Motion passed

Commission Order 10: Lion

There were no changes from the previous year.

Public comment:

Halina Szyposzynski, representing self, asked three questions on the mountain lion order. Ms. Supplee answered this past year the lion harvest exceeded the strategic planning objectives for the management of the species. The data showed only one year of exceeding the objective; it was a strategic plan and was not absolute harvest objectives. Some of the units were set up with harvest objectives that would close the hunt if they were achieved in a given management unit. Ms. Szyposzynski asked about Unit 22 in which the objective was 12 lions; she assumed it was part of the experimental study to determine the effects of lion predation on bighorn sheep populations. Ms. Supplee stated the two were associated in that the hunt order was set up to encourage the removal of the lions through sport harvest rather than hiring someone to do it.

Ms. Supplee noted that Unit 22 south was not an entire management unit, but was a sub area within a larger area so that the harvest objective was focused on a sub population of lions. Ms. Supplee noted the closure of sections in Unit 42M to archery lion hunting.

Motion: Gilstrap moved and Melton seconded THAT THE COMMISSION ADOPT COMMISSION ORDER 10 AS AMENDED.

Vote: Gilstrap and Melton – Aye
Chair voted Aye
Carter and Chilton – Absent
Motion passed

Commission Order 7: Bighorn Sheep

A total of 102 permits was recommended. The one permit reduction in Unit 45A was an allocation to a 2001 applicant; this was resolution of a hunt draw error. The permit would not be shown in the regulations.

Ms. Supplee noted that the one permit in Unit 22 was a trophy hunt; an older age class ram hunt opportunity. This would have no effect on the population. Unit 24B (Superstitions) was a new hunt with a recommendation for one permit. This unit would not be open to special tag hunters.

Public comment:

Halina Szyposzynski, representing self, opposed the hunting of lions and the bighorn sheep in Unit 22. She believed that the experiment as designed would not answer the question as to whether the lions are responsible for the poor bighorn sheep population in the area.

Motion: Gilstrap moved and Melton seconded THAT THE COMMISSION ADOPT COMMISSION ORDER 7 AS RECOMMENDED.

Vote: Gilstrap and Melton – Aye
Chair voted Aye
Carter and Chilton – Absent
Motion passed

Commission Order 5: Turkey

There would be a date change for archery turkey to go with the Kaibab and Strip deer hunts. The archery turkey dates for Units 12A and 13A would be August 23 to September 5 to coincide with the new archery season dates under Commission Order 2.

With that modification, the Department recommended that the Commission adopt Commission Order 5, fall turkey.

Motion: Gilstrap moved and Melton seconded THAT THE COMMISSION ADOPT COMMISSION ORDER 5 AS AMENDED.

Vote: Gilstrap and Melton – Aye
Chair voted Aye
Carter and Chilton – Absent
Motion passed

Commission Order 9: Bear

The addition of Unit 9 was recommended to the fall season with a sow harvest objective of one. The Department recommended that the Commission adopt Commission Order 9, Fall Bear, as recommended.

Motion: Gilstrap moved and Melton seconded THAT THE COMMISSION ADOPT COMMISSION ORDER 9, FALL BEAR, AS RECOMMENDED.

Vote: Gilstrap and Melton – Aye
Chair voted Aye
Carter and Chilton – Absent
Motion passed

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2. Hearing on Proposed Commission Orders 11-18 for 2002-2003 Hunting Season-cont'd.

Commission Order 11: Tree Squirrel

Units 12A and 13A would have a change in archery season dates to August 23-September 5. The Department recommended that the Commission adopt Commission Order 11, Tree Squirrel, as amended.

Motion: Gilstrap moved and Melton seconded THAT THE COMMISSION ADOPT THE DEPARTMENT RECOMMENDATION.

Vote: Gilstrap and Melton – Aye
Chair voted Aye
Carter and Chilton – Absent
Motion passed

Commission Order 12: Cottontail Rabbit

There was an amendment to close sections of Unit 42M. The Department recommended that the Commission adopt Commission Order 12, Cottontail Rabbit, as amended.

Motion: Melton moved and Gilstrap seconded THAT THE COMMISSION ADOPT THE DEPARTMENT RECOMMENDATION.

Vote: Gilstrap and Melton – Aye
Chair voted Aye
Carter and Chilton – Absent
Motion passed

Commission Order 13: Predatory and Fur-bearing Mammals

A correction was noted in the opening season date on the Buenos Aires National Wildlife Refuge. It should be April 1, 2003, rather than April 1, 2002. The hunt for the limited weapon rimfire season in Unit 42M would be closed in the stated sections. The Department recommended that the Commission adopt Commission Order 13, Predatory and Fur-bearing Mammals, as amended.

Motion: Gilstrap moved and Melton seconded THAT THE COMMISSION ADOPT THE DEPARTMENT RECOMMENDATION.

Vote: Gilstrap and Melton – Aye
Chair voted Aye
Carter and Chilton – Absent
Motion passed

Commission Order 14: Other Birds and Mammals

An amendment was made to the hunt for the limited weapon rimfire season in Unit 42M to close stated sections in Unit 42M. The Department recommended that the Commission adopt Commission Order 14, Other Birds and Mammals, as amended.

Motion: Melton moved and Gilstrap seconded THAT THE COMMISSION ADOPT THE DEPARTMENT RECOMMENDATION.

Vote: Gilstrap and Melton – Aye
Chair voted Aye
Carter and Chilton – Absent
Motion passed

Commission Order 15: Pheasant

There were no recommended changes from last year. The Department recommended that the Commission adopt Commission Order 15, Pheasant, as presented.

Motion: Gilstrap moved and Melton seconded THAT THE COMMISSION ADOPT THE DEPARTMENT RECOMMENDATION.

Vote: Gilstrap and Melton – Aye
Chair voted Aye
Carter and Chilton – Absent
Motion passed

Commission Order 17: Chukar Partridge

There were no recommended changes from last year. The Department recommended that the Commission adopt Commission Order 17, Chukar Partridge, as presented.

Motion: Melton moved and Gilstrap seconded THAT THE COMMISSION ADOPT THE DEPARTMENT RECOMMENDATION.

Vote: Gilstrap and Melton – Aye
Chair voted Aye
Carter and Chilton – Absent
Motion passed

Commission Order 18: Blue Grouse

No changes were recommended for season or bag limit from the previous year. A Migratory Bird Stamp will be required to hunt blue grouse to improve the Department's data set. The cost of the stamp will be \$3.00 and will be available from all hunting license dealers. The Department recommended that the Commission adopt Commission Order 18, Blue Grouse, as presented.

Motion: Gilstrap moved and Melton seconded THAT THE COMMISSION ADOPT THE DEPARTMENT RECOMMENDATION.

Vote: Gilstrap and Melton – Aye
Chair voted Aye
Carter and Chilton – Absent
Motion passed

4. Future Agenda Items

A briefing would be provided regarding Mr. Frost's presentation from yesterday. The Department would follow up with Commission Carter on his preference on presentation of this information.

Messrs. Odenkirk and Adkins would provide information to the Commission regarding the mutual agreement in the Sikes Act.

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Motion: Gilstrap moved and Melton seconded THAT THE MEETING ADJOURN.

Vote: Gilstrap and Melton – Aye
Chair voted Aye
Carter and Chilton – Absent
Motion passed

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Meeting adjourned at 4:32 p.m.

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